

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB21-1031 be amended as follows:

1 Amend printed bill, page 3, strike line 1 and substitute "circumstances;
2 except that, if the issue before the district court is material to the issue on
3 appeal, the district court must make written findings that the risk of harm
4 is so significant or irreparable that it is necessary for the district court to
5 exercise jurisdiction prior to the resolution of the appeal, thereby
6 modifying".

7 Page 3, line 23, strike "APPEAL." and substitute "APPEAL; EXCEPT THAT,
8 IF THE ISSUE BEFORE THE TRIAL COURT IS MATERIAL TO THE ISSUE ON
9 APPEAL, THE TRIAL COURT MUST MAKE WRITTEN FINDINGS THAT THE RISK
10 OF HARM IS SO SIGNIFICANT OR IRREPARABLE THAT THE TRIAL COURT
11 FINDS IT NECESSARY TO EXERCISE JURISDICTION PRIOR TO THE RESOLUTION
12 OF THE APPEAL.".

13 Page 4, line 8, strike "APPEAL." and substitute "APPEAL; EXCEPT THAT, IF
14 THE ISSUE BEFORE THE TRIAL COURT IS MATERIAL TO THE ISSUE ON
15 APPEAL, THE TRIAL COURT MUST MAKE WRITTEN FINDINGS THAT THE RISK
16 OF HARM IS SO SIGNIFICANT OR IRREPARABLE THAT THE TRIAL COURT
17 FINDS IT NECESSARY TO EXERCISE JURISDICTION PRIOR TO THE RESOLUTION
18 OF THE APPEAL.".

19 Page 4, line 21, strike "APPEAL." and substitute "APPEAL; EXCEPT THAT,
20 IF THE ISSUE BEFORE THE TRIAL COURT IS MATERIAL TO THE ISSUE ON
21 APPEAL, THE TRIAL COURT MUST MAKE WRITTEN FINDINGS THAT THE RISK
22 OF HARM IS SO SIGNIFICANT OR IRREPARABLE THAT THE TRIAL COURT
23 FINDS IT NECESSARY TO EXERCISE JURISDICTION PRIOR TO THE RESOLUTION
24 OF THE APPEAL.".

25 Page 5, line 18, strike "RESPONSIBILITIES." and substitute
26 "RESPONSIBILITIES; EXCEPT THAT, IF THE ISSUE BEFORE THE TRIAL COURT
27 IS MATERIAL TO THE ISSUE ON APPEAL, THE TRIAL COURT MUST MAKE
28 WRITTEN FINDINGS THAT THE RISK OF HARM IS SO SIGNIFICANT OR
29 IRREPARABLE THAT THE TRIAL COURT FINDS IT NECESSARY TO EXERCISE
30 JURISDICTION PRIOR TO THE RESOLUTION OF THE APPEAL.".

31 Page 5, line 25, strike "APPEAL." and substitute "APPEAL; EXCEPT THAT,
32 IF THE ISSUE BEFORE THE TRIAL COURT IS MATERIAL TO THE ISSUE ON
33 APPEAL, THE TRIAL COURT MUST MAKE WRITTEN FINDINGS THAT THE RISK
34 OF HARM IS SO SIGNIFICANT OR IRREPARABLE THAT THE TRIAL COURT
35 FINDS IT NECESSARY TO EXERCISE JURISDICTION PRIOR TO THE RESOLUTION
36 OF THE APPEAL.".

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