

## HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Daugherty

1 Amend printed bill, page 2, line 2, strike "**add** (4.5)" and substitute  
2 "amend (9)(b); and **add** (4.5) and (9)(c)".

3 Page 4, lines 17 and 18, strike "THAT THE PERSON FAILED TO COMPLY  
4 WITH THE REQUIREMENTS OF SUBSECTION (4.5)(b) OF THIS SECTION OR".

5 Page 4, after line 21 insert:

6 (9) (b) The courts of record of this state shall have jurisdiction to  
7 issue injunctions to enforce the purposes of this section upon application  
8 by any citizen of this state. EXCEPT AS OTHERWISE PROVIDED IN  
9 SUBSECTION (9)(c) OF THIS SECTION, in any action in which the court  
10 finds a violation of this section, the court shall award the citizen  
11 prevailing in such action costs and reasonable attorney fees. In the event  
12 the court does not find a violation of this section, it shall award costs and  
13 reasonable attorney fees to the prevailing party if the court finds that the  
14 action was frivolous, vexatious, or groundless.

15 (c) A PRO SE PLAINTIFF IN AN ACTION CHALLENGING A LOCAL  
16 PUBLIC BODY FOR A VIOLATION OF SUBSECTION (2)(d.5)(II) OR (4) OF THIS  
17 SECTION OR FOR A VIOLATION OF SUBSECTION (2)(d)(II) OF THIS SECTION  
18 ONLY AS IT RELATES TO AN EXECUTIVE SESSION HELD AT A MEETING, IS  
19 NOT ENTITLED TO AN AWARD OF COSTS OR ATTORNEY FEES, NOR MAY  
20 COSTS OR ATTORNEY FEES BE ASSESSED AGAINST A PRO SE PLAINTIFF  
21 UNLESS OTHERWISE ALLOWED BY SUBSECTION (9)(b) OF THIS SECTION."

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