

HB1294_L.052

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB23-1294 be amended as follows:

1 Amend the Energy and Environment Committee Report, dated April 20,
2 2023, page 11, strike lines 30 through 43.

3 Page 12, strike lines 1 through 3 and substitute:

4 "SECTION 8. In Colorado Revised Statutes, 25-7-122, **amend**
5 (2)(a) introductory portion, (2)(a)(VII), and (2)(a)(VIII); and **add**
6 (2)(a)(IX) as follows:

7 **25-7-122. Civil penalties - rules - definitions.** (2) (a) In
8 determining the amount of any civil penalty, the ~~following factors~~
9 DIVISION shall ~~be considered~~ CONSIDER THE FOLLOWING FACTORS:
10 (VII) Malfeasance; ~~and~~
11 (VIII) Whether legal and factual theories were advanced for
12 purposes of delay; AND
13 (IX) THE SEVERITY OF THE VIOLATION OR NONCOMPLIANCE.".

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