

HB1259_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Civic, Military, & Veterans Affairs.

HB23-1259 be amended as follows:

- 1 Amend printed bill, page 4, line 2, after "NOTICE" insert "THAT IS".
- 2 Page 4, line 9, after "SECTION." insert "DETERMINING IF THE PERSON'S
- 3 CHALLENGE CAN BE RESOLVED INCLUDES WORKING TOGETHER TO
- 4 DEVELOP A SOLUTION TO THE DEFICIENCY OF THE PRIOR ANNOUNCEMENT
- 5 OF THE EXECUTIVE SESSION THAT IS ALLEGED TO BE IN VIOLATION OF
- 6 SUBSECTION (4) OF THIS SECTION TO ADDRESS THE PERSON'S CHALLENGE
- 7 AND COMPLY WITH THE REQUIREMENTS OF SUBSECTION (4) OF THIS
- 8 SECTION."
- 9 Page 4, strike lines 10 through 13 and substitute:
- 10 "(c) CURING AN ALLEGED VIOLATION OF SUBSECTION (4) OF THIS
- 11 SECTION IS A BAR TO ANY ACTION AGAINST A LOCAL PUBLIC BODY
- 12 CONCERNING THE SAME ALLEGED VIOLATION OF SUBSECTION (4) OF THIS
- 13 SECTION. IF A PERSON FILES A CHALLENGE PURSUANT SUBSECTION (9) OF
- 14 THIS SECTION AND THE LOCAL PUBLIC BODY RAISES THE ISSUE OF CURING
- 15 THE ALLEGED VIOLATION BEFORE OR AFTER THE COMMENCEMENT OF
- 16 DISCOVERY, THE COURT SHALL SUSPEND DISCOVERY UNLESS THE
- 17 DISCOVERY IS NECESSARY TO DECIDE THE ISSUE OF CURING THE ALLEGED
- 18 VIOLATION, AND THE COURT SHALL DECIDE SUCH ISSUE ON MOTION BY THE
- 19 LOCAL PUBLIC BODY. THE COURT'S DECISION ON SUCH MOTION IS A FINAL
- 20 JUDGMENT AND IS SUBJECT TO INTERLOCUTORY APPEAL."
- 21 Reletter succeeding paragraph accordingly.

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