

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB23-1192 be amended as follows:

- 1 Amend printed bill, page 3, line 11, strike "SUBSTANTIALLY" and  
2 substitute "SUBSTANTIVELY".
- 3 Page 3, strike lines 19 through 22 and substitute:
- 4       "(4) ~~For purposes of~~ AS USED IN this section, "recklessly" means:  
5       (a) A reckless disregard for the truth or falsity of a statement or  
6       advertisement;  
7       (b) THE FAILURE TO EXERCISE REASONABLE CARE TO ENSURE THAT  
8       A STATEMENT, AN ADVERTISEMENT, OR CONDUCT IS TRUTHFUL AND  
9       ACCURATE; OR  
10       (c) THE FAILURE TO EXERCISE REASONABLE CARE TO AVOID A  
11       SUBSTANTIAL AND UNJUSTIFIABLE RISK OF CONSUMER HARM."
- 12 Page 12, line 12, strike "(I)".
- 13 Page 12, strike lines 18 through 21.
- 14 Page 17, lines 4 and 5, strike "EXCEPT AS PROVIDED IN SUBSECTION (5) OF  
15 THIS SECTION, ANY" and substitute "ANY".
- 16 Page 18, strike lines 7 through 9 and substitute:
- 17       "(5) EXCEPT AS EXPRESSLY PROVIDED IN SUBSECTIONS (1) AND (2)  
18       OF THIS SECTION, NO OTHER LIMITATION TERMINATES THE PERIOD WITHIN  
19       WHICH THE ATTORNEY GENERAL MAY FILE AN ACTION FOR A VIOLATION OF  
20       THIS ARTICLE 4."

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