

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB25-1123 be amended as follows:

1 Amend printed bill, page 5, strike lines 20 through 27 and substitute:

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3 "(II) IF MEDIATION IS UNSUCCESSFUL, THE MEDIATOR MUST SIGN  
4 A MEDIATION CERTIFICATE STATING THAT THE PARTIES ATTENDED A  
5 MEDIATION CONFERENCE ON THE DATE IDENTIFIED ON THE CERTIFICATE  
6 BUT WERE UNABLE TO REACH A RESOLUTION OR THAT ONE OR MORE  
7 PARTIES DID NOT ATTEND THE MEDIATION CONFERENCE."

8 Page 6, strike lines 1 through 7 and substitute:

9 "(III) THE PARTY FILING A COMPLAINT OR DEMANDING  
10 ARBITRATION MUST INCLUDE A COPY OF THE MEDIATION CERTIFICATE  
11 WITH THE COMPLAINT OR DEMAND FOR ARBITRATION.

12 (IV) IF THE PARTY FILING THE COMPLAINT OR DEMAND FOR  
13 ARBITRATION FAILS TO ATTACH A COPY OF THE MEDIATION CERTIFICATE,  
14 THE COURT, ARBITRATOR, OR ARBITRATION PANEL MUST DISMISS THE CASE  
15 WITHOUT PREJUDICE."

16 Page 6, line 22, strike "OR".

17 Page 6, line 24, strike "ARBITRATION." and substitute "ARBITRATION; OR".

18 Page 6, after line 24, insert:

19 "(e) A DISPUTE IN WHICH THE INITIAL COMPLAINT SEEKS ONLY THE  
20 COLLECTION OF PAST-DUE ASSESSMENTS CLAIMED BY AN ASSOCIATION  
21 AGAINST A UNIT OWNER."

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