

HB1192_L.001

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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