

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

SB25-001 be amended as follows:

- 1 Amend printed bill, page 22, line 2, strike "SUBDIVISION." and substitute
- 2 "SUBDIVISION, OR IF THE SOLUTION IDENTIFIED IN THE RESOLUTION
- 3 PURSUANT TO SECTION 1-47-203 (2) REQUIRES AN ELECTION IN THE
- 4 POLITICAL SUBDIVISION, THE AGGRIEVED PERSON OR THE ATTORNEY
- 5 GENERAL MUST WAIT ONE HUNDRED EIGHTY CALENDAR DAYS AFTER THE
- 6 PASSAGE OF THE RESOLUTION TO BRING A CIVIL ACTION AGAINST THE
- 7 POLITICAL SUBDIVISION."
- 8 Page 22, strike lines 7 through 9.
- 9 Reletter succeeding paragraphs accordingly.
- 10 Page 22, line 11, after "(1);" insert "OR".
- 11 Page 22, line 15, strike "ARTICLE 47 AND" and substitute "ARTICLE 47,".
- 12 Page 22, strike lines 16 through 19 and substitute "SIXTY CALENDAR DAYS
- 13 HAVE PASSED SINCE THAT NOTIFICATION LETTER WAS SENT, AND THE
- 14 POLITICAL SUBDIVISION HAS NOT ADOPTED A RESOLUTION PROVIDING FOR
- 15 A SOLUTION TO THE ALLEGED VIOLATION."
- 16 Page 23, line 22, strike "RESOLUTION." and substitute "RESOLUTION;
- 17 EXCEPT THAT, IF THE IDENTIFIED SOLUTION REQUIRES AN ELECTION IN THE
- 18 POLITICAL SUBDIVISION, THE POLITICAL SUBDIVISION SHALL IMPLEMENT
- 19 THE IDENTIFIED SOLUTION WITHIN ONE HUNDRED EIGHTY CALENDAR DAYS
- 20 AFTER THE PASSAGE OF THE RESOLUTION."
- 21 Page 28, lines 14 and 15, strike "ONE HUNDRED TWENTY DAY" and
- 22 substitute "ONE-HUNDRED-TWENTY-DAY".
- 23 Page 28, strike lines 20 through 23 and substitute:
- 24 "(I) THE AGGRIEVED PERSON OR THE ATTORNEY GENERAL IS
- 25 REASONABLY LIKELY TO SUCCEED ON THE MERITS;
- 26 (II) THERE IS A DANGER OF IMMEDIATE AND IRREPARABLE INJURY,
- 27 LOSS, OR DAMAGE THAT MAY BE PREVENTED BY GRANTING PRELIMINARY
- 28 RELIEF; AND
- 29 (III) AN APPROPRIATE REMEDY TO THE ALLEGED VIOLATION CAN
- 30 BE IMPLEMENTED PRIOR TO THE ELECTION IN A MANNER THAT WILL NOT
- 31 UNDULY DISRUPT THE ELECTION."

1 Page 29, after line 4 insert:

2 "(c) IN DETERMINING AN APPROPRIATE REMEDY, THE COURT SHALL
3 CONSIDER HOW DISRUPTIVE THE REMEDY WILL BE TO STATE LAW, THE
4 CONDUCT OF GENERAL, PRIMARY, OR COORDINATED ELECTIONS OR AN
5 IMMINENT MUNICIPAL ELECTION, AND THE OPERATIONS OF THE POLITICAL
6 SUBDIVISION."

7 Reletter succeeding paragraph accordingly.

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