

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 "SUBDIVISION, OR IF THE SOLUTION IDENTIFIED IN THE RESOLUTION PURSUANT TO SECTION 1-47-203 (2) REQUIRES AN ELECTION IN THE POLITICAL SUBDIVISION, THE AGGRIEVED PERSON OR THE ATTORNEY GENERAL MUST WAIT ONE HUNDRED EIGHTY CALENDAR DAYS AFTER THE PASSAGE OF THE RESOLUTION TO BRING A CIVIL ACTION AGAINST THE 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 HAVE PASSED SINCE THAT NOTIFICATION LETTER WAS SENT, AND THE POLITICAL SUBDIVISION HAS NOT ADOPTED A RESOLUTION PROVIDING FOR A SOLUTION TO THE ALLEGED VIOLATION.".
- 16 Page 23, line 22, strike "RESOLUTION." and substitute "RESOLUTION; EXCEPT THAT, IF THE IDENTIFIED SOLUTION REQUIRES AN ELECTION IN THE POLITICAL SUBDIVISION, THE POLITICAL SUBDIVISION SHALL IMPLEMENT THE IDENTIFIED SOLUTION WITHIN ONE HUNDRED EIGHTY CALENDAR DAYS AFTER THE PASSAGE OF THE RESOLUTION.".
- 21 Page 28, lines 14 and 15, strike "ONE HUNDRED TWENTY DAY" and 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 REASONABLY LIKELY TO SUCCEED ON THE MERITS;
 - 26 (II) THERE IS A DANGER OF IMMEDIATE AND IRREPARABLE INJURY, LOSS, OR DAMAGE THAT MAY BE PREVENTED BY GRANTING PRELIMINARY RELIEF; AND
 - 29 (III) AN APPROPRIATE REMEDY TO THE ALLEGED VIOLATION CAN 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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