

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Civic, Military, & Veterans Affairs.

HB24-1296 be amended as follows:

1 Amend proposed committee amendment (HB1296_L.009), page 1, line
2 32, strike "2. ." and substitute "2".

3 (b) IN AN ACTION BROUGHT PURSUANT TO SUBSECTION (5)(a) OF
4 THIS SECTION, THE FACTORS THAT A COURT SHALL CONSIDER, AS
5 APPLICABLE, IN MAKING ITS DETERMINATION INCLUDE:

6 (I) THE TOTAL NUMBER OF REQUESTS FILED BY THE INDIVIDUAL OR
7 ENTITY TO THE PUBLIC ENTITY; EXCEPT THAT THE DETERMINATION
8 CANNOT BE MADE SOLELY ON THIS BASIS OR ON THE BASIS OF THE FACTORS
9 SET FORTH IN THIS SUBSECTION (5)(b)(I) AND SUBSECTION (5)(b)(II) OF
10 THIS SECTION;

11 (II) THE TOTAL NUMBER OF PENDING REQUESTS FILED BY THE
12 INDIVIDUAL OR ENTITY TO THE PUBLIC ENTITY; EXCEPT THAT THE
13 DETERMINATION CANNOT BE MADE SOLELY ON THIS BASIS OR ON THE
14 BASIS OF THE FACTORS SET FORTH IN THIS SUBSECTION (5)(b)(II) AND
15 SUBSECTION (5)(b)(I) OF THIS SECTION;

16 (III) THE SCOPE OF THE REQUESTS THAT HAVE BEEN MADE BY THE
17 INDIVIDUAL OR ENTITY;

18 (IV) THE NATURE, CONTENT, LANGUAGE, OR SUBJECT MATTER OF
19 THE REQUESTS;

20 (V) THE NATURE, CONTENT, LANGUAGE, OR SUBJECT MATTER OF
21 OTHER ORAL AND WRITTEN COMMUNICATIONS BY THE INDIVIDUAL OR
22 ENTITY TO THE CUSTODIAN;

23 (VI) CONDUCT THAT THE CUSTODIAN ALLEGES IS PLACING AN
24 UNREASONABLE BURDEN ON THE CUSTODIAN;

25 (VII) CONDUCT THAT THE CUSTODIAN ALLEGES IS INTENDED TO
26 HARASS;

27 (VIII) A PATTERN OF CONDUCT THAT AMOUNTS TO AN ABUSE OF
28 REQUESTS OR AN INTERFERENCE WITH THE PUBLIC ENTITY'S OPERATION;

29 (IX) THE PUBLIC PURPOSE TO BE SERVED BY THIS PART 2 AND THE
30 INTENT TO AVOID HINDERING THIS PURPOSE;

31 (X) THE PUBLIC INTEREST SERVED BY THE INDIVIDUAL OR ENTITY;
32 OR

33 (XI) ANY OTHER RELEVANT INFORMATION, INCLUDING SIMILAR
34 DETERMINATIONS THAT HAVE BEEN MADE BY THE COURT OR OTHER
35 COURTS AGAINST THE SAME INDIVIDUAL OR ENTITY.".".

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