

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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