HB1296_L.007
HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on State, Civic, Military, & Veterans Affairs.
HB24-1296 be amended as follows:

1   Amend printed bill, page 8, line 9, strike "(f)" and substitute "(e)".

2   Page 8, line 12, strike "TWO-DAY".

3   Page 8, strike line 13 and substitute " THREE-DAY OR FIVE-DAY PERIOD, AS
4   APPLICABLE, AND,".

5   Page 8, line 14, strike "SUBSECTIONS (3)(b) AND (3)(d)" and substitute
6   "SUBSECTION (3)(b)".

7   Page 8, line 17, after the period add "A REQUESTER MAY SUBMIT WITH A
8   REQUEST A SIGNED STATEMENT AFFIRMING THAT THE REQUESTED PUBLIC
9   RECORDS WILL NOT BE USED FOR THE DIRECT SOLICITATION OF BUSINESS
10   FOR PECUNIARY GAIN, WHICH THE CUSTODIAN MUST CONSIDER IN MAKING
11   THE CUSTODIAN'S DETERMINATION PURSUANT TO THIS SUBSECTION
12   (3)(e)(I).".

13   Page 8, strike lines 20 through 25 and substitute "BUSINESS FOR
14   PECUNIARY GAIN MAY APPLY TO THE DISTRICT COURT OF THE DISTRICT IN
15   WHICH THE REQUESTED PUBLIC RECORDS ARE LOCATED FOR A
16   DETERMINATION THAT THE REQUEST IS NOT FOR THE DIRECT SOLICITATION
17   OF BUSINESS FOR PECUNIARY GAIN. THE COURT SHALL REVIEW THE
18   MATTER AT THE EARLIEST PRACTICAL TIME AND HAS DISCRETION TO LIMIT
19   ITS REVIEW TO SUBMISSION OF PLEADINGS, AFFIDAVITS, AND OTHER
20   MATERIAL AS DEEMED APPROPRIATE BY THE COURT, OR THE COURT MAY
21   SCHEDULE A HEARING. IN ITS REVIEW, THE COURT SHALL APPLY AN ABUSE
22   OF DISCRETION STANDARD TO THE CUSTODIAN'S DETERMINATION.".

23   Page 9, after line 3 insert:
24   "(IV) A REQUEST FOR PUBLIC RECORDS FOR PURPOSES RELATED TO
25   COLLECTIVE BARGAINING, ORGANIZING, OR OTHER RIGHTS AND ACTIVITIES
26   PROTECTED BY ARTICLE 33 OF TITLE 29 BY AN ENTITY ENGAGED IN
27   COLLECTIVE BARGAINING, ORGANIZING, OR OTHER RIGHTS AND ACTIVITIES
28   PROTECTED BY ARTICLE 33 OF TITLE 29 IS NOT A REQUEST FOR THE DIRECT
29   SOLICITATION OF BUSINESS FOR PECUNIARY GAIN.
30   (V) THIS SUBSECTION (3)(f) DOES NOT APPLY TO A CONTRACT OR
31   OTHER INFORMATION DELIVERED ROUTINELY USING COMPUTER DATA
32   EXTRACTION METHODS THAT REQUIRE MINIMAL HUMAN INTERVENTION
33   FOR RETRIEVAL.".

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