

HB1231_L.004

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

HB17-1231 be amended as follows:

1 Amend reengrossed bill, page 40, after line 18 insert:

2 "(5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS PART 3 TO
3 THE CONTRARY, THE COMMISSIONER SHALL NOT IMPOSE ANY FINE OR
4 PENALTY ON ANY COMPANY FOR A VIOLATION OF ANY LAW, RULE, OR
5 PRIOR LAWFUL ORDER OF THE COMMISSIONER IF THE VIOLATION AROSE
6 FROM THE ACTION OR OMISSION OF A LICENSED, INDEPENDENT
7 CONTRACTOR PRODUCER OF THE COMPANY AND THE PRODUCER IS SUBJECT
8 TO EXAMINATION OR DISCIPLINARY PROCEEDINGS FOR ITS OWN
9 VIOLATIONS, UNLESS THE COMMISSIONER MAKES A FINDING OF FACT THAT
10 THE COMPANY KNEW OR REASONABLY SHOULD HAVE KNOWN OF THE
11 VIOLATION AND FAILED TO TAKE ADEQUATE REMEDIAL ACTION TO
12 CORRECT OR STOP THE VIOLATION."

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