

SB132_L.006

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB16-132 be amended as follows:

1 Amend reengrossed bill, page 3, line 10, strike "OR".

2 Page 3, strike line 14 and substitute "DUTIES; OR

3 (D) ANY PARTY WHO OBTAINS AN ORDER IN A PENDING CIVIL OR
4 CRIMINAL CASE IF THE COURT FINDS THE PARTY HAS SHOWN GOOD CAUSE
5 TO HAVE THE INFORMATION. IN DETERMINING WHETHER THERE IS GOOD
6 CAUSE, THE COURT SHALL CONSIDER WHETHER THE MATERIALS SOUGHT
7 EXIST; WHETHER THE MATERIALS SOUGHT ARE EVIDENTIARY AND
8 RELEVANT; WHETHER THE MATERIALS ARE NOT OTHERWISE PROCURABLE
9 REASONABLY IN ADVANCE OF THE PROCEEDING BY THE EXERCISE OF DUE
10 DILIGENCE; WHETHER THE PARTY CANNOT PROPERLY PREPARE FOR THE
11 PROCEEDING WITHOUT SUCH PRODUCTION AND INSPECTION IN ADVANCE
12 OF THE PROCEEDING, AND THE FAILURE TO OBTAIN SUCH INSPECTION MAY
13 TEND TO UNREASONABLY DELAY THE PROCEEDING; AND WHETHER THE
14 REQUEST FOR THE INFORMATION IS MADE IN GOOD FAITH AND IS NOT FOR
15 THE PURPOSES OF GENERAL DISCOVERY."

** *** ** *** **