

Amendment No. 1 to HB1661

Keisling
Signature of Sponsor

AMEND Senate Bill No. 2173

House Bill No. 1661*

by deleting 10-1-403(a) in Section 1 and substituting:

(a) The residents of a district may circulate a petition for signatures for the purposes of prohibiting each library within a district from displaying, distributing, or making readily accessible to minors any content or material in possession of a library that is specified in the petition as not meeting contemporary community standards. To be valid:

(1) The filer or a proponent of the petition must provide to the library written notice of the intent to file the petition not less than thirty (30) days before filing;

(2) The petition must be signed by adult legal residents within a district numbering not less than five percent (5%) of the total number of the legal voters who voted in the last gubernatorial election in such district; and

(3) The petition must conform to the requirements of the secretary of state under subsection (c).

AND FURTHER AMEND by designating subsection (b) in 10-1-403 in Section 1 as subdivision (b)(1) and adding the following new subdivisions (b)(2) and (3):

(2) For purposes of validating a petition in accordance with subdivision (b)(1), the proponents of the petition must remit a fee of one thousand two hundred dollars (\$1,200) to each county election commission where the petition is filed, to be held in escrow by the county election commission until the petition is validated and any dispute resolution process has concluded.

(3) The fee held in escrow pursuant to subdivision (b)(2) by the county election commission must be returned to the proponents of the petition upon validation of the petition or, if the validity of the petition is disputed, upon resolution by agreement, settlement, or final adjudication of the dispute in favor of the proponents of the petition. If a library is a party to such dispute regarding the validity of a petition and the dispute is resolved in favor of the proponents of the petition by agreement, settlement, or final adjudication, and the petition is found to be valid at the conclusion of the dispute resolution process, then the library shall remit a fee of one thousand two hundred dollars (\$1,200) to each county election commission where the petition was filed.

AND FURTHER AMEND by deleting from 10-1-403(c)(1)(B) in Section 1 the language "subsection (a)" and substituting "subdivision (b)(1)".

AND FURTHER AMEND by deleting from 10-1-403(c)(1)(D) in Section 1 the language "Establish a process by which to challenge" and substituting "Establish a process by which to challenge or enforce".