

2SSB 5062 - H AMD TO H AMD (H-1465.2/21) **637**

By Representative Walen

1 On page 30, line 34 of the striking amendment, after "(2)" strike
2 all material through "in" and insert "In"

3
4 On page 31, beginning on line 5 of the striking amendment, after
5 "(3)" strike all material through "filed" on line 9 and insert "A
6 controller or processor found in violation of this chapter is subject
7 to a civil penalty of up to \$7,500 for each violation. The civil
8 penalties provided for in this section shall be exclusively assessed
9 and recovered in any action brought by the attorney general under this
10 section"

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12

EFFECT: Removes the provisions that sunset the right to cure, thereby making the right to cure permanent. Removes the provisions that require courts to consider good faith efforts to cure as mitigating factors in determining a civil penalty and instead provides that a controller or processor found in violation is subject to a civil penalty of up to \$7,500 per violation, to be assessed exclusively by the Attorney General.

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