

HB 2321 - S AMD
By Senator Roach

1 On page 5, line 20, after "notice." insert the following:
2 "(5) Any person who, within the time period beginning forty-five
3 days before an election and running through the fifth day before an
4 election, is the subject of a complaint filed with the public
5 disclosure commission or the subject of a notification under subsection
6 (4) of this section, may notify the person making the complaint or
7 providing the notification that it is their desire to have a speedy
8 adjudication in order to settle the complaint in a timely manner during
9 the campaign. It is then the obligation of the person making the
10 complaint or providing the notification to file a formal complaint
11 before the close of the next business day with the superior court in
12 the county in which the violation occurred, providing a copy of the
13 complaint and all evidence supporting the complaint to the subject of
14 the complaint before the time of filing or, alternatively, delivering
15 a copy of the complaint and all evidence supporting the complaint to
16 the superior court at least one hour before the close of business on
17 the day the complaint is filed, for transmission to the subject of the
18 complaint. The superior court shall schedule a hearing no later than
19 the third business day after the complaint is filed, and shall render
20 a decision on the complaint before the close of business on the day of
21 the hearing. Any case brought under this subsection shall also be
22 considered a citizen's action.

23 (6)"

24 On page 5, line 28, strike "(5)" and insert "((+5)) (7)"

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EFFECT: Establishes a process for speedily adjudicating complaints filed in the time period preceding elections.