SHB 2351 - H AMD **2004**
By Representative Penner

NOT CONSIDERED 03/12/2026

On page 3, after line 34, insert the following:

"(5) Before any action can be brought to enforce the requirements of this section, the challenging party must prove by clear and convincing evidence that a technically feasible method of complying with the requirements of this section is available. For the purposes of this section, "feasible" means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the overall objectives."

On page 4, after line 23, insert the following:

"(4) Before any action can be brought to enforce the requirements of this section, the challenging party must prove by clear and convincing evidence that a technically feasible method of complying with the requirements of this section is available. For the purposes of this section, "feasible" means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the overall objectives."

On page 5, after line 14, insert the following:

"(5) Before any action can be brought to enforce the requirements of this section, the challenging party must prove by clear and convincing evidence that a technically feasible method of complying with the requirements of this section is available. For the purposes of this section, "feasible" means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the overall objectives."

On page 7, line 25, after "(7)" insert "Before any action can be brought to enforce the requirements of this section, the challenging party must prove by clear and convincing evidence that a technically feasible method of complying with the requirements of this section is available. For the purposes of this section, "feasible" means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the overall objectives.

(8)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

EFFECT: Prohibits an enforcement action against counties, cities, towns, or incident command systems unless the challenging party proves that a technically feasible method of complying with the use of resources, collection and use of information, or designation of emergency operation zones is technically feasible. Defines "feasible" as an available and capable action, after considering cost, existing technology, and logistics.

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