

## S.B. 91

# UTAH UNIFORM SECURITIES ACT AMENDMENTS AND CIVIL ACTIONS

SENATE FLOOR AMENDMENTS

AMENDMENT 1

JANUARY 26, 2012 11:34 AM

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Senator **Benjamin M. McAdams** proposes the following amendments:

1. *Page 2, Line 54 through Page 3, Line 59:*

- 54           (2) The court in a suit brought under Subsection (1) may award an amount equal to  
55 three times the consideration paid for the security, together with interest, costs, and attorney  
56 fees, less any amounts, all as specified in Subsection (1) upon a showing that:  
57           (a) the violation was reckless or intentional; or  
58           (b) the violation was of Subsection 61-1-1(2), was negligent, and **it is demonstrated by clear and**  
**convincing evidence that the violation** involved an  
59 investment by a person over whom the violator exercised undue influence.