

1st Sub. H.B. 77

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House Amendments

Amendment 1

February 13, 2025 01:34 PM

Representative **R. Neil Walter** proposes the following amendments:

1. *Line 11 through 13:*

- 11 →requires the state auditor to ensure compliance, including by imposing fines;
- 12 → { ~~establishes a cause of action for an alleged violation within the public education~~
~~system;~~ }
- 13 →requires the attorney general to defend and the state to hold harmless an individual acting

2. *Line 79 through 91:*

- 79 under this section to determine whether the imposition of the fine is clearly erroneous.
- 80 { ~~(5) (a) Subject to Subsection (5)(b), a parent or legal guardian of a student who is~~
81 ~~enrolled in and attends, or who is eligible to enroll in and attend, a school within the~~
82 ~~public education system or the Utah Schools for the Deaf and the Blind, may bring an~~
83 ~~action in the appropriate state court for an alleged violation of this section.~~ }
- 84 { ~~(b) (i) Before a parent may file an action for an alleged violation described in~~
85 ~~Subsection (5)(a), the parent shall provide written notice of the alleged violation~~
86 ~~to the appropriate LEA governing board.~~ }
- 87 { ~~(ii) An LEA governing board receiving a notice described in Subsection (5)(b)(i)~~
88 ~~shall resolve or disprove the alleged violation within 10 days after the day on~~
89 ~~which the parent provides the written notice.~~ }
- 90 { ~~(c)~~ ~~(5)~~ Nothing in this section limits the authority of a local education agency, as defined in
91 Section 53E-1-102, related to student expression under applicable federal or state law.