

2nd Sub. H.B. 99

CATASTROPHIC WILDFIRE AND OTHER PUBLIC NUISANCE REVISIONS

SENATE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 6, 2019 11:12 AM

Senator **Ronald Winterton** proposes the following amendments:

1. *Page 1, Line 18:*

18 nuisance ~~{subject to a cap}~~ .

2. *Page 4, Lines 94 through 107:*

94 (3) ~~{(a) Subject to Subsection (3)(b), the }~~ The state shall indemnify, defend, and hold a
chief

95 executive officer or county sheriff harmless from any claims or damages, including court costs
96 and attorney fees, that are assessed as a result of the chief executive officer's or county sheriff's
97 action, if:

98 ~~{(i)}~~ (a) the chief executive officer or county sheriff has complied with this chapter;

99 ~~{(ii)}~~ (b) the court challenge against the chief executive officer or county sheriff addresses
100 the chief executive officer's or county sheriff's action in abating a catastrophic public nuisance;

101 and

102 ~~{(iii)}~~ (c) the chief executive officer's or county sheriff's action abating the catastrophic
103 public nuisance were in reasonable furtherance of the detailed proposed abatement plan
104 described in Subsection 11-51a-103(3)(b).

105 ~~{(b) The state shall indemnify or hold harmless a chief executive officer or county~~
106 ~~sheriff under this Subsection (3) up to 90% of the claims or damages assessed against the chief~~
107 ~~executive officer or county sheriff under Subsection (3)(a). }~~