

# H.B. 399

## GOVERNMENT RECORD AMENDMENTS

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 2

FEBRUARY 17, 2022 6:32 PM

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Representative **Ryan D. Wilcox** proposes the following amendments:

1. *Page 1, Line 16:*

16     ~~{court}~~ costs under the Government Records Access and Management Act and makes

2. *Page 1, Line 18:*

18           ▶ includes ~~{court}~~ costs in what can be claimed in certain proceedings under the

3. *Page 16, Lines 467 through 469:*

467     investigation into potential misconduct involving the employee if the governmental entity:

468           (a) requires the statement under threat of employment disciplinary action, including  
possible termination ~~{or other}~~ of employment

469     ~~{sanction resulting from}~~ , for the employee's refusal to provide the statement; and

4. *Page 16, Line 481:*

481     ~~{court}~~ costs incurred by the lead party in opposing the governmental entity's request, if:

5. *Page 17, Line 497:*

497     attorney fees or ~~{court}~~ costs under this section is not subject to Title 63G, Chapter 7,

6. *Page 17, Line 504:*

504     subdivision reasonable attorney fees and ~~[other litigation]~~ ~~{court}~~ costs reasonably incurred in

7. *Page 17, Line 507:*

507           (b) In determining whether to award ~~[attorneys' fees]~~ attorney fees or ~~{court}~~ costs under

8. *Page 17, Line 513:*

513           (c) Attorney fees and ~~{court}~~ costs shall not ordinarily be awarded if the purpose of the

9. *Page 17, Line 515:*

515           (3) Neither attorney fees nor ~~{court}~~ costs ~~[shall]~~ may be awarded for fees or costs

10. Page 17, Line 517:

517 (4) Notwithstanding Subsection (2), a court may only award attorney fees and ~~{court}~~

11. Page 17, Line 519:

519 the attorney fees and ~~{court}~~ costs were incurred 20 or more days after the requester provided to

12. Page 17, Line 523:

523 for attorney fees or ~~{court}~~ costs as provided in this section [~~or for damages are~~] is not subject to

13. Page 18, Line 551:

551 ~~fees~~] as to any claim for attorney fees or ~~{court}~~ costs under Sections 63G-2-405 and 63G-2-802;