

PROPOSED AMENDMENTS TO SENATE BILL NO. 2261

Page 1, line 2, after "prosecution" insert "or defense"

Page 1, line 9, replace "The" with "If an adjudicative proceeding results in a finding of violation of this title, the"

Page 1, line 10, remove "found as a result of an adjudicative proceeding to be in"

Page 1, line 11, remove "violation of this title" and after the underscored period insert "If an adjudicative proceeding results in a finding of no violation of this title, the licensed retailer is entitled to costs of the case from the local governing body or the attorney general, as is appropriate."

Page 1, line 13, replace "local governing body or the attorney general" with "party" and replace "their" with "the party's"

Page 1, line 14, after "prosecution" insert "or defense"

Page 1, line 16, replace "of a violation of this title but" with "in a hearing under section 5-02-10 and"

Page 1, line 18, after "license" insert "if that is the case" and replace "local governing body or the attorney general" with "party entitled to costs of the case"

Page 1, line 19, replace "licensed retailer" with "other party"

Page 1, line 20, replace "licensed retailer" with "other party"

Page 1, line 21, replace "licensed retailer" with "other party" and replace "local governing body or the" with "party seeking costs of the case"

Page 1, line 22, remove "attorney general"

Page 1, line 24, replace "licensed retailer" with "other party"

Page 2, line 1, replace "local governing" with "party seeking costs of the case is entitled to the lowest amount of each cost as determined by each party. The party seeking costs of the case may seek disputed costs through a civil action in district court."

Page 2, remove line 2

Page 2, line 3, remove "suspending, revoking, or otherwise taking adverse action against the"

Page 2, remove line 4

Page 2, line 5, remove "general" and remove "that"

Page 2, line 6, replace "licensed retailer pay the" with "payment of" and after "case" insert ". If the costs of the case are to be paid by the licensed retailer, the hearing official shall require payment"

Page 2, line 17, overstrike "specifically setting forth such" and insert immediately thereafter "of facts constituting the"

Page 2, line 18, overstrike "such" and insert immediately thereafter "the"

Page 2, line 19, overstrike "such" and insert immediately thereafter "the"

Page 2, line 20, overstrike "any such" and insert immediately thereafter "the"

Page 2, line 25, overstrike the first "such" and insert immediately thereafter "the", overstrike "A" and insert immediately thereafter "The person holding the hearing shall", and overstrike "of such hearings will be made" and insert immediately thereafter "the hearing"

Renumber accordingly