

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 18, 2009
Date

Committee on Health and Human Services.

After consideration on the merits, the Committee recommends the following:

SB09-179 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 10, line 6, strike "Any" and substitute
2 "(1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, any";

3 after line 16, insert the following:

4 "(2) IF THE PERSON WHO COMMITS A VIOLATION OF THIS PART 4 OR
5 A LAWFUL RULE OF THE STATE BOARD OR WHO FAILS OR REFUSES TO OBEY
6 A LAWFUL ORDER OF A HEALTH OFFICER IS A LICENSED OR CERTIFIED
7 HEALTH CARE PROFESSIONAL, THE HEALTH OFFICER MAY BRING AN ACTION
8 IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT IN WHICH THE
9 VIOLATION OR FAILURE OR REFUSAL OCCURS TO SEEK A CIVIL PENALTY OF
10 NOT MORE THAN THREE HUNDRED DOLLARS PER VIOLATION, FAILURE, OR
11 REFUSAL. A PERSON SUBJECT TO THE PENALTIES SPECIFIED IN THIS
12 SUBSECTION (2) SHALL NOT BE SUBJECT TO THE PENALTIES DESCRIBED IN
13 SUBSECTION (1) OF THIS SECTION."

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