

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

HB26-1141 be amended as follows:

1 Amend printed bill, page 4, line 13, strike "OR AN EMPLOYEE OF A PUBLIC
2 SCHOOL".

3 Page 5, line 5, strike "DISPROPORTIONATELY ADVERSE EFFECT" and
4 substitute "DISPARATE IMPACT".

5 Page 5, strike lines 24 through 26 and substitute:

6 "(1) (a) AN INDIVIDUAL CLAIMING TO BE AGGRIEVED BY A
7 VIOLATION OF SECTION 24-34-1102 MAY, BY ONESELF OR THROUGH THE
8 PERSON'S ATTORNEY, MAKE, SIGN, AND FILE WITH THE DIVISION A VERIFIED
9 WRITTEN CHARGE STATING THE NAME AND ADDRESS OF THE RESPONDENT
10 ALLEGED TO HAVE COMMITTED THE DISCRIMINATORY EDUCATION
11 PRACTICE, SETTING FORTH THE PARTICULARS OF THE ALLEGED
12 DISCRIMINATORY PRACTICE, AND CONTAINING ANY OTHER INFORMATION
13 REQUIRED BY THE DIVISION."

14 Page 5, line 27, strike "PRACTICE."

15 Page 7, line 15, after the period, add "THE CHARGE MUST BE FILED IN THE
16 SAME MANNER AND CONTAIN THE SAME INFORMATION AS REQUIRED FOR
17 A CHARGE FILED BY AN INDIVIDUAL PURSUANT TO SUBSECTION (1)(a) OF
18 THIS SECTION. WHEN THE COMMISSION, A COMMISSIONER, OR THE
19 ATTORNEY GENERAL FILES A CHARGE PURSUANT TO THIS SUBSECTION
20 (1)(b), THE REMEDY AVAILABLE FOR THE DISCRIMINATORY EDUCATION
21 PRACTICE IS LIMITED TO EQUITABLE RELIEF TO ELIMINATE THE
22 DISCRIMINATORY PRACTICE."

23 Page 8, line 27, before "THE" insert "A PERSON AGGRIEVED BY A
24 VIOLATION OF SECTION 24-34-1102 (1) MAY BRING AN ACTION IN A COURT
25 OF COMPETENT JURISDICTION."

26 Page 9, after line 2, insert:

27 "(6) **County court jurisdiction.** THE COUNTY COURT IN THE
28 COUNTY WHERE THE DISCRIMINATORY EDUCATION PRACTICE OCCURRED
29 HAS JURISDICTION IN A CIVIL ACTION BROUGHT PURSUANT TO THIS PART
30 11 TO RECOVER DAMAGES TO THE EXTENT OF THE JURISDICTION OF THE
31 COUNTY COURT TO RECOVER A MONEY DEMAND IN OTHER ACTIONS.
32 EITHER PARTY HAS THE RIGHT TO HAVE THE CAUSE TRIED BY JURY AND TO
33 APPEAL FROM THE JUDGMENT OF THE COURT IN THE SAME MANNER AS IN
34 OTHER CIVIL SUITS."

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