

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

**Offered By**

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1 AMEND House Bill No. 3146, Pages 5-6, Section 116.190, Lines 6-9, by deleting all of said  
2 lines and inserting in lieu thereof the following:

3  
4 "accordance with the provisions of this chapter."; and  
5

6 Further amend said bill, page, and section, Line 33, by inserting after the word "days" the  
7 following:

8  
9 "if the action was originated in a year ending in an odd number, but within three days if the  
10 action was originated in a year ending in an even number"; and  
11

12 Further amend said bill, page, and section, Line 41, by inserting after the word "days" the  
13 following:

14  
15 "if the action was originated in a year ending in an odd number, but within two days if the action  
16 was originated in a year ending in an even number"; and  
17

18 Further amend said bill and section, Page 7, Line 49, by inserting after the word "days" the  
19 following:

20  
21 "if the action was originated in a year ending in an odd number, but within one day if the action  
22 was originated in a year ending in an even number"; and  
23

24 Further amend said bill, page and section, Line 66, by deleting all of said line and inserting in  
25 lieu thereof the following:

26  
27 "(g) a. In any appeal of any decision of a circuit court finding a summary statement to  
28 be sufficient and fair pursuant to this subdivision, if the appellate court concludes that the  
29 summary statement was in fact insufficient or unfair, the appellate court shall remand the  
30 summary statement to the circuit for further proceedings consistent with this subdivision. If the  
31 appellate court finds the summary statement insufficient or unfair, the court may offer suggested  
32 revisions for the summary statement to remedy the legal flaws, but the appellate court shall not  
33 have authority to itself modify or rewrite the summary statement. No other relief shall issue  
34 from an appellate court on a challenge to a circuit court's decision that a summary statement is

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1 insufficient and unfair besides remanding the judgment to the circuit court for further  
2 proceedings consistent with this section.

3 b. Notwithstanding subparagraph a. of this paragraph to the contrary, if an action brought  
4 under this section has not been fully and finally adjudicated within one hundred fifty-two days of  
5 filing, or if there are less than ninety-eight days until the election at which the measure is to  
6 appear, the provisions of subparagraph a. of this paragraph requiring the appellate court to  
7 remand the summary statement to the circuit court shall not apply and an appeal to the supreme  
8 court shall be permitted. If, upon such appeal, the supreme court finds the summary statement  
9 insufficient or unfair, the court may offer suggested revisions for the summary statement to  
10 remedy the legal flaws, but the supreme court shall not have authority to itself modify or rewrite  
11 the summary statement. No other relief shall issue from the supreme court on a challenge to a  
12 circuit court's decision that a summary statement is sufficient and fair besides remanding the  
13 judgment to the circuit court for further proceedings consistent with this section.

14 (h) Any action brought pursuant to this section challenging a statewide ballot"; and

15  
16 Further amend said bill by amending the title, enacting clause, and intersectional references  
17 accordingly.