

Senate Amendment 5292

Amendment Text

PAG LIN

1 1 Amend [House File 2163](#), as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by striking lines 27 through 29, and
1 4 inserting the following:
1 5 "(3) That errors of law or mistakes of fact
1 6 otherwise occurred in the legal process relating to
1 7 the criminal charge under this chapter.
1 8 c. Notwithstanding paragraph "b", the department
1 9 need not rescind the revocation unless the court in
1 10 the criminal action also expressly holds that the
1 11 action resulting in the finding in paragraph "b",
1 12 subparagraph (1), (2), or (3), materially affected the
1 13 substantial rights of the person, such that the
1 14 administrative revocation should be rescinded.
1 15 d. Holdings by the court in the criminal action
1 16 that meet the requirements of paragraphs "b" and "c"
1 17 are binding on the department, and the department
1 18 shall rescind the revocation."
1 19 #2. By renumbering as necessary.
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1 21
1 22 _____
1 23 COMMITTEE ON [JUDICIARY](#)
1 24 ANDY McKEAN, Chairperson
1 25 [HF 2163.304](#) 77
1 26 jls/cf/28