

Moved by McKenzie

Seconded by Rice

IN THE SENATE  
SENATE AMENDMENT TO S.B. NO. 1138

AMENDMENT TO SECTION 3

1  
2 On page 3 of the printed bill, delete lines 28 through 30, and insert:  
3 "ever the nature of any decision standard or criterion allows, the decision  
4 shall identify aspects of compliance or noncompliance with relevant ap-  
5 proval standards and criteria in the written decision."; and delete line 39,  
6 and insert: "express approval standards or failure to explain compliance or  
7 non-".

8 On page 4, delete lines 1 through 8, and insert: "affirmed, reversed or  
9 modified after compliance with applicable procedural standards. A written  
10 decision shall be provided to the applicant or affected person within sixty  
11 (60) days of receipt of the request for reconsideration or the request is  
12 deemed denied. A decision shall not be deemed final for purposes of judicial  
13 review unless the process required in this subsection has been followed. The  
14 twenty-eight (28) day time frame for seeking judicial review is tolled until  
15 the date of the written decision regarding reconsideration or the expiration  
16 of the sixty (60) day reconsideration period, whichever occurs first."; in  
17 line 25, following "Code." insert: "An appeal shall be from the final deci-  
18 sion and not limited to issues raised in the request for reconsideration.".

CORRECTION TO TITLE

19 On page 1, in line 10, following "RECONSIDERATION" insert: ", TO PROVIDE  
20 STANDARDS FOR APPEAL".  
21