
HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 218 by Representative Talbot

1 AMENDMENT NO. 1

2 On page 1, line 2, change "3601(A)" to "1878"

3 AMENDMENT NO. 2

4 On page 1, line 3, after "proceedings;" delete the remainder of the line and delete lines 4
5 through 8 in their entirety and insert the following:

6 "to provide for declaratory judgments; to provide for expedited hearings; to provide
7 for the effect of supplemental proceedings on the hearing for a declaratory judgment;
8 to provide for proceedings for temporary restraining orders, injunctions, and
9 mandamus relative to the expenditure of state funds; and to provide for related
10 matters."

11 AMENDMENT NO. 3

12 On page 1, line 10, change "3601(A)" to "1878"

13 AMENDMENT NO. 4

14 On page 1, delete lines 12 through 20 in their entirety and insert the following:

15 "Art. 1878. Supplemental relief; expedited hearing for constitutional determination;
16 effect of pendency of other proceedings
17 A. Further relief based on a declaratory judgment or decree may be granted
18 whenever necessary or proper. The application therefor shall be by petition to a
19 court having jurisdiction to grant the relief. If the application is considered
20 sufficient, the court, on reasonable notice, shall require any adverse party whose
21 rights have been adjudicated by the declaratory judgment or decree, to show cause
22 why further relief should not be granted forthwith.
23 B. In any action or proceeding seeking a declaratory judgment as to the
24 constitutionality of the expenditure of state funds, the court shall set the matter with
25 preference and proceed to hear and determine the matter as expeditiously as the ends
26 of justice may require, notwithstanding resolution of a pending petition for
27 injunction sought pursuant to Article 3601 or a petition for mandamus sought
28 pursuant to Article 3862."

29 AMENDMENT NO. 5

30 On page 2, delete lines 1 through 29 in their entirety and on page 3, delete lines 1 through
31 6 in their entirety