

AMENDMENT # 1

OFFERED IN THE SENATE
TO: CSSB 193(RES)

BY SENATOR WIELECHOWSKI

1 Page 1, line 12, through page 2, line 8:

2 Delete all material and insert:

3 "(b) This section does not preclude civil liability for property damage, death,
4 or personal injury resulting from

5 (1) an intentional, reckless, or negligent act or omission of the utility;

6 or

7 (2) contact between vegetation and the utility's facilities if

8 (A) the vegetation was located entirely within the boundaries of
9 the utility's real property, lease, permit, easement, or right-of-way, and the
10 utility did not have, or failed to comply with, a vegetation management plan; or

11 (B) the vegetation was located outside the boundaries of the
12 utility's real property, lease, permit, easement, or right-of-way, and the utility
13 caused the vegetation to

14 (i) enter the boundaries of the utility's real property,
15 lease, permit, easement, or right-of-way; and

16 (ii) contact the utility's facilities."