

**HB0103H2002**

1 Delete the Lawley second reading amendment (HB0103H2001/A)  
2 entirely and further amend as follows:

3  
4 Page 5-line 23 After "investigate;" delete "or".

5  
6 Page 6-line 5 After "protection" delete "." and insert ";  
7 or".

8  
9 Page 6-after line 5 Insert and renumber as necessary:

10  
11 "(iii) Was defamatory against a private figure, whether  
12 per quod defamation, per se defamation or defamation by implication  
13 that does not involve a matter of public concern, was at least  
14 negligent and the statements at issue were factually false."

15  
16 Page 6-line 10 After "applies" delete balance of line.

17  
18 Page 6-lines 11 and 12 Delete entirely and insert ". In  
19 determining whether an immunity asserted under  
20 this section may be overcome, the court shall  
21 only consider the pleadings, the motion, any  
22 response or reply to the motion and any  
23 supporting or opposing affidavits or  
24 declarations stating the facts upon which the  
25 asserted immunity or exception to the immunity  
26 is based. The court shall construe any  
27 disputed material facts in the light most  
28 favorable to the non-moving party.". HEINER