

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Fetterman offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 36 and 37, insert:

5 (3) (a) If a business establishment has actual knowledge of
6 an incident involving a transitory foreign substance, the
7 business establishment shall, until the earlier of the
8 conclusion of any legal action or 1 year from the date of the
9 incident, preserve:

10 1. Video images of the incident and the 12-hour period
11 prior to the incident.

12 2. Documentary evidence of the incident.

13 (b) For purposes of this subsection, the term "actual
14 knowledge" means an incident having been witnessed by an
15 employee or reported to an employee.

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16 (4) Evidence reflecting that a business establishment did
17 not have a video surveillance system or that the video
18 surveillance system did not capture an incident may not be used
19 adversely against a business establishment in a cause of action
20 brought under this section.

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23 **T I T L E A M E N D M E N T**

24 Remove line 14 and insert:
25 transitory foreign objects or substances; requiring preservation
26 of certain kinds of evidence concerning an incident involving a
27 transitory foreign substance for a specified period; providing a
28 definition; providing that evidence reflecting that a business
29 establishment did not have a video surveillance system or that
30 the video surveillance system did not capture an incident may
31 not be used adversely against a business establishment;
32 providing an