HOUSE COMMITTEE OF REFERENCE REPORT

_____   ____March 28, 2017____
Chairman of Committee   Date

Committee on <u>Judiciary</u>.

After consideration on the merits, the Committee recommends the following:

<u>SB17-051</u>   be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, page 4, strike line 8 and substitute "(1)(j); and
2 **add** (1)(j.2), (1)(j.5)(III),".

3 Page 4, strike lines 13 through 27.

4 Page 5, after line 10 insert:
5   "(j.2) THE RIGHT TO BE INFORMED OF ANY REQUEST FOR
6 PROGRESSION FROM THE STATE MENTAL HEALTH HOSPITAL ON BEHALF OF
7 A PERSON IN ITS CUSTODY AS A RESULT OF A CRIMINAL CASE INVOLVING
8 THE VICTIM, AND THE RIGHT TO BE HEARD AT ANY HEARING DURING WHICH
9 A COURT CONSIDERS SUCH A REQUEST. FOR PURPOSES OF THIS SUBSECTION
10 (1)(j.2), "REQUEST FOR PROGRESSION" INCLUDES ANY REQUEST FOR
11 OFF-GROUNDS OR UNSUPERVISED PRIVILEGES, COMMUNITY PLACEMENT,
12 CONDITIONAL RELEASE, UNCONDITIONAL DISCHARGE, OR A SPECIAL
13 FURLOUGH.".

14 Page 6, line 18, after "**repeal**" insert "(14)(f) and".

15 Page 8, strike lines 7 and 8 and substitute "AN OFFENDER WHO WAS
16 ORDERED BY A COURT INTO THE HOSPITAL'S CUSTODY PURSUANT TO
17 SUBSECTION (14.2) OF".

18 Page 8, strike lines 15 through 17 and substitute "FROM THE STATE
19 MENTAL HEALTH HOSPITAL ON BEHALF OF A PERSON IN ITS CUSTODY AS A
20 RESULT OF A CRIMINAL CASE INVOLVING THE VICTIM.".

1   Page 10, line 18, after "FULL" insert "PAROLE".

2   Page 10, after line 21 insert:
3   "(f) ~~Any decision by the parole board to release such person or~~
4   ~~any decision by the governor to commute the sentence of such person or~~
5   ~~pardon such person;~~".

6   Page 10, line 24, strike "OR" and substitute "AND".

7   Page 11, line 23, strike "convicted" and substitute "~~convicted~~
8   ADJUDICATED".

9   Page 12, line 8, strike "convicted" and substitute "~~convicted~~
10   ADJUDICATED".

11   Page 12, line 20, strike "convicted" and substitute "~~convicted~~
12   ADJUDICATED".

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