

SB223_L.003

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB19-223 be amended as follows:

1 Amend printed bill, page 4, line 15, strike "FACILITY." and substitute
2 "FACILITY THAT DOES NOT MEET THE DEFINITION OF INPATIENT."

3 Page 5, line 21, strike "FOR WHOM" and substitute "AS A RESULT OF THE
4 DETERMINATION MADE PURSUANT TO SUBSECTION (19)(b) OF THIS
5 SECTION,".

6 Page 7, line 26, strike "20," and substitute "1,".

7 Page 8, line 2, strike "IF" and substitute "ON AND AFTER JULY 1, 2020, IF".

8 Page 8, after line 6 insert:

9 "(II) AT THE TIME ANY EVALUATION IS ORDERED, THE COURT
10 SHALL ORDER THAT THE COLLATERAL MATERIALS BE TRANSMITTED TO THE
11 DEPARTMENT WITHIN TWENTY-FOUR HOURS AFTER THE ORDER BY THE
12 APPROPRIATE PARTY WITH A CERTIFICATE OF SERVICE OF THE MATERIALS
13 PROVIDED TO THE COURT AND OTHER NECESSARY PARTIES BY THE PARTY
14 ORDERED TO TRANSMIT THE COLLATERAL MATERIALS."

15 Renumber succeeding subparagraph accordingly.

16 Page 10, line 15, strike "WHEN" and substitute "ON AND AFTER JULY 1,
17 2020, WHEN".

18 Page 10, strike lines 18 through 20 and substitute "COURT ORDER AND
19 COLLATERAL MATERIALS. THE COURT SHALL REVIEW".

20 Page 10, line 21, strike "THIRTY" and substitute "TWENTY-ONE".

21 Page 12, line 1, strike "The" and substitute "ON AND AFTER JULY 1, 2020,
22 the".

23 Page 13, line 6, strike "prior" and substitute "A LIST OF RECENT".

24 Page 13, line 8, strike "AND".

25 Page 13, after line 8 insert:

26 "(g) THE COMPETENCY EVALUATOR'S OPINION AS TO WHETHER THE
27 DEFENDANT MEETS THE CRITERIA FOR A TIER I OR TIER II DESIGNATION,
28 AS DEFINED IN SECTION 16-8.5-101(19) AND (20); AND".

- 1 Reletter succeeding paragraph accordingly.
- 2 Page 13, line 17, after "ATTORNEY" insert "OR DISTRICT ATTORNEY
3 REQUIRED TO CONDUCT PROCEEDINGS PURSUANT TO SECTION 27-65-111
4 (6)".
- 5 Page 14, line 14, after "ATTORNEY" insert "OR DISTRICT ATTORNEY
6 REQUIRED TO CONDUCT PROCEEDINGS PURSUANT TO SECTION 27-65-111
7 (6)".
- 8 Page 16, line 10, strike "REPORTS" and substitute "DETERMINES".
- 9 Page 16, strike lines 12 through 18 and substitute "OUTPATIENT BASIS,
10 THE DEPARTMENT SHALL NOTIFY THE COURT WITHIN FOURTEEN DAYS
11 AFTER ITS DETERMINATION, AT WHICH POINT THE COURT SHALL REVIEW
12 THE CASE AND DETERMINE WHAT INTERIM MENTAL HEALTH SERVICES CAN
13 BE PROVIDED WITHIN THE COMMUNITY BY THE DEPARTMENT OR OTHER
14 COMMUNITY PROVIDER. THE DEPARTMENT SHALL REPORT TO THE COURT
15 LIAISON EVERY TEN DAYS THEREAFTER CONCERNING THE AVAILABILITY
16 OF RESTORATION SERVICES ON AN OUTPATIENT BASIS."
- 17 Page 17, line 3, strike "THE" and substitute "FOR TIER 2 DEFENDANTS,
18 THE".
- 19 Page 17, strike lines 4 through 6 and substitute "THE COURT AND THE
20 COURT LIAISON EVERY TEN DAYS AFTER THE INITIAL TWENTY-EIGHT DAY
21 PERIOD REGARDING THE AVAILABILITY OF A BED AND WHEN ADMISSION
22 WILL BE OFFERED."
- 23 Page 21, line 22, strike "AT" and substitute "ON AND AFTER JULY 1, 2020,
24 AT".
- 25 Page 22, line 25, after "ADDITIONALLY," insert "ON AND AFTER JULY 1,
26 2020,".
- 27 Page 24, line 8, after "ATTORNEY" insert "OR DISTRICT ATTORNEY
28 REQUIRED TO CONDUCT PROCEEDINGS PURSUANT TO SECTION 27-65-111
29 (6)".
- 30 Page 24, line 24, after "ATTORNEY" insert "OR DISTRICT ATTORNEY
31 REQUIRED TO CONDUCT PROCEEDINGS PURSUANT TO SECTION 27-65-111
32 (6)".

- 1 Page 25, line 7, strike "THE" and substitute "ON AND AFTER JULY 1, 2020,
- 2 THE".

- 3 Page 27, line 21, after "SUBSECTION" insert "(1), (6)".

- 4 Page 28, line 2, after "ATTORNEY" insert "OR DISTRICT ATTORNEY
- 5 REQUIRED TO CONDUCT PROCEEDINGS PURSUANT TO SECTION 27-65-111
- 6 (6)".

- 7 Page 28, line 4, after "ATTORNEY" insert "OR DISTRICT ATTORNEY".

- 8 Page 28, line 18, strike "THE" and substitute "ON AND AFTER JULY 1,
- 9 2020, THE".

- 10 Page 30, line 8, strike "CENTERS." and substitute "PROVIDERS."

- 11 Page 31, strike line 1 and substitute "(4) introductory portion as follows:".

- 12 Page 31, strike lines 7 through 19.

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