

SB062_L.002

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB21-062 be amended as follows:

- 1 Amend printed bill, page 3, line 7, after the second "PRESENCE," insert "A
2 WARRANTLESS ARREST".
- 3 Page 3, line 12, after "TO A" insert "WARRANTLESS".
- 4 Page 3, line 21 insert "THE" before "PERSON".
- 5 Page 3, line 22, strike "TWELVE MONTHS; OR" and substitute "FIVE YEARS
6 OR WAS PREVIOUSLY CONVICTED FOR A VIOLATION OF SECTION 42-4-1301
7 THREE OR MORE TIMES; EXCEPT THAT A PEACE OFFICER MAY SUBJECT A
8 PERSON TO CUSTODIAL ARREST BASED ON PROBABLE CAUSE TO BELIEVE
9 THE PERSON VIOLATED SECTION 42-4-1301 WHEN A DETOXIFICATION
10 FACILITY, SOBER PARTY, OR HOSPITAL IS UNAVAILABLE AND THE OFFICER
11 HAS REASONABLE SUSPICION TO CONCLUDE THE PERSON POSES A
12 SUBSTANTIAL RISK TO THE SAFETY OF ANOTHER, ABSENT CUSTODIAL
13 ARREST; OR".
- 14 Page 3, line 26, after "16-22-102 (9)," insert "THE OFFENSE IS FAILURE TO
15 REGISTER AS A SEX OFFENDER IN VIOLATION OF SECTION 18-3-412.5,".
- 16 Page 5, line 23, after "(b)" insert "(I)".
- 17 Page 5, line 25, strike "THE DEFENDANT" and substitute "THE
18 DEFENDANT:".
- 19 Page 5, strike lines 26 and 27 substitute:
20 "(A) FAILED TO APPEAR THREE OR MORE TIMES IN THE CASE; OR".
- 21 Page 6, strike line 1 and substitute:
22 "(B) FAILED TO APPEAR FOR ANY PROCEEDING FOR WHICH A
23 WITNESS WAS SUBPOENAED AND APPEARED OR FOR WHICH A CIVILIAN
24 WITNESS WAS PLACED ON CALL BY THE PROSECUTION; OR
25 (C) INTENTIONALLY FAILED TO APPEAR FOR THE PURPOSE OF
26 INTERFERING WITH OR DETERRING VICTIM OR WITNESS PARTICIPATION IN
27 THE CASE.
28 (II) THE COURT MAY IMPOSE MONETARY BOND IN THE
29 CIRCUMSTANCES DESCRIBED IN SUBSECTIONS (3)(b)(I)(A) TO (3)(b)(I)(C)
30 OF THIS SECTION WHEN THE COURT FINDS NO OTHER CONDITIONS OF
31 RELEASE CAN REASONABLY MITIGATE THE RISK OF FUTURE FAILURE TO
32 APPEAR."

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