

SB088_L.014

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB21-088 be amended as follows:

1 Amend printed bill, page 7, strike lines 3 through 6 and substitute:

2 "(II) A MANAGING ORGANIZATION ONLY AS PROVIDED IN
3 SUBSECTION (2) OF THIS SECTION."

4 Page 7, strike lines 12 through 27 and substitute:

5 "(2) A MANAGING ORGANIZATION IS LIABLE TO A VICTIM
6 PURSUANT TO THIS SECTION WHEN:

7 (a) THE SEXUAL MISCONDUCT OCCURRED WHILE THE VICTIM WAS
8 PARTICIPATING IN A YOUTH PROGRAM OPERATED OR MANAGED BY THE
9 ORGANIZATION;

10 (b) THE ACTOR WAS AN AGENT OR EMPLOYEE OF THE MANAGING
11 ORGANIZATION; AND

12 (c) THE MANAGING ORGANIZATION HAD ACTUAL NOTICE PRIOR TO
13 THE SEXUAL MISCONDUCT BY THE ACTOR AGAINST THE PERSON BRINGING
14 THE CLAIM THAT THE ACTOR HAD PREVIOUSLY ENGAGED IN SEXUAL
15 MISCONDUCT AGAINST A MINOR AND THE MANAGING ORGANIZATION
16 FAILED TO TAKE REASONABLE ACTION TO PROTECT MINORS IN THE YOUTH
17 PROGRAM FROM FUTURE SEXUAL MISCONDUCT BY THE ABUSER."

18 Strike page 8.

19 Page 9, strike line 1.

20 Renumber succeeding subsection accordingly.

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