

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Gonzales-Gutierrez

1 Amend printed bill, page 34, after line 25 insert:

2 "(11) (a) UNLESS SPECIFICALLY STATED OTHERWISE, THE
3 REQUIREMENTS OF THIS SECTION TO PROVIDE INFORMATION TO THE
4 VICTIM, OR THE VICTIM'S DESIGNEE, AS IDENTIFIED ON THE INFORMATION
5 FORM FOR CHILDREN UNDER THIRTEEN YEARS OF AGE CREATED PURSUANT
6 TO SECTION 24-1.9-102.7, MAY BE SATISFIED BY EITHER WRITTEN,
7 ELECTRONIC, OR ORAL COMMUNICATION WITH THE VICTIM OR THE VICTIM'S
8 DESIGNEE. THE PERSON RESPONSIBLE FOR PROVIDING THE INFORMATION
9 SHALL DO SO IN A TIMELY MANNER.

10 (b) AN AGENCY THAT IS REQUIRED TO NOTIFY ANY VICTIM, OR THE
11 VICTIM'S DESIGNEE, AS IDENTIFIED ON THE INFORMATION FORM FOR
12 CHILDREN UNDER THIRTEEN YEARS OF AGE CREATED PURSUANT TO
13 SECTION 24-1.9-102.7, SHALL MAKE REASONABLE ATTEMPTS TO CONTACT
14 THE VICTIM OR THE VICTIM'S DESIGNEE BY MAIL, ELECTRONIC
15 COMMUNICATION, AND TELEPHONE, IF THE VICTIM OR VICTIM'S DESIGNEE
16 HAS PROVIDED AN ADDRESS, ELECTRONIC MAIL ADDRESS, AND TELEPHONE
17 NUMBER ON THE INFORMATION FORM. IF THE VICTIM OR THE VICTIM'S
18 DESIGNEE DOES NOT PROVIDE THE AGENCY WITH A FORWARDING ADDRESS,
19 ELECTRONIC MAIL ADDRESS, AND TELEPHONE NUMBER AND THE AGENCY
20 IS UNABLE TO CONTACT THE VICTIM OR THE VICTIM'S DESIGNEE AFTER
21 REASONABLE ATTEMPTS HAVE BEEN MADE TO CONTACT THE VICTIM OR THE
22 VICTIM'S DESIGNEE, THE AGENCY SHALL BE DEEMED TO HAVE MET ITS
23 OBLIGATION AND SHALL NOT BE REQUIRED TO NOTIFY THE VICTIM OR
24 VICTIM'S DESIGNEE UNTIL THE VICTIM OR VICTIM'S DESIGNEE PROVIDES THE
25 AGENCY WITH THE CURRENT ADDRESS, ELECTRONIC MAIL ADDRESS, IF
26 AVAILABLE, AND TELEPHONE NUMBER OF THE VICTIM AND THE NAME OF
27 THE VICTIM'S CURRENT DESIGNEE, IF APPLICABLE.

28 (c) AN AGENCY THAT IS REQUIRED TO NOTIFY THE VICTIM, OR THE
29 VICTIM'S DESIGNEE, AS IDENTIFIED ON THE INFORMATION FORM FOR
30 CHILDREN UNDER THIRTEEN YEARS OF AGE CREATED PURSUANT SECTION
31 24-1.9-102.7, MAY USE AN AUTOMATED VICTIM NOTIFICATION SYSTEM.

32 (d) ANY VICTIM, OR THE VICTIM'S DESIGNEE, AS IDENTIFIED ON THE
33 INFORMATION FORM FOR CHILDREN UNDER THIRTEEN YEARS OF AGE
34 CREATED PURSUANT TO SECTION 24-1.9-102.7, MAY ENFORCE COMPLIANCE
35 WITH THIS ARTICLE 1.9 BY NOTIFYING THE INTERAGENCY OVERSIGHT
36 GROUP, CREATED IN SECTION 24-1.9-102, OF ANY NONCOMPLIANCE WITH
37 THIS ARTICLE 1.9. THE INTERAGENCY OVERSIGHT GROUP SHALL REVIEW
38 ANY REPORT OF NONCOMPLIANCE, AND, IF THE INTERAGENCY OVERSIGHT
39 GROUP DETERMINES THAT THE REPORT OF NONCOMPLIANCE HAS A BASIS
40 IN FACT AND CANNOT BE RESOLVED, THE INTERAGENCY OVERSIGHT GROUP
41 SHALL REFER THE REPORT OF NONCOMPLIANCE TO THE GOVERNOR, WHO
42 MAY REQUEST THAT THE ATTORNEY GENERAL FILE SUIT TO ENFORCE
43 COMPLIANCE WITH THIS ARTICLE 1.9. A PERSON, CORPORATION, OR OTHER
44 LEGAL ENTITY SHALL NOT BE ENTITLED TO CLAIM OR RECEIVE DAMAGES OR
45 OTHER FINANCIAL REDRESS FOR ANY FAILURE TO COMPLY WITH THIS
46 ARTICLE 1.9."

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