

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 21, 2023
Date

Committee on Appropriations.

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

HB23-1013 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend the Judiciary Committee Report, dated January 31, 2023, page 1,
- 2 strike lines 7 through 27 and substitute:
 - 3 "(1) BY JULY 1, 2027, THE DEPARTMENT SHALL IMPLEMENT POLICIES AND
 - 4 PRACTICES THAT CONFORM TO THE MINIMUM STANDARDS PRESCRIBED BY
 - 5 THE MOST UPDATED RESTRAINT AND SECLUSION STANDARDS OF THE
 - 6 NATIONAL COMMISSION ON CORRECTIONAL HEALTH CARE. THE
 - 7 DEPARTMENT SHALL CONTINUOUSLY AMEND ITS PRACTICES AND POLICIES
 - 8 TO COMPLY, AT A MINIMUM, WITH THE THOSE MINIMUM STANDARDS."
- 9 Strike pages 2 through 6.
- 10 Page 7, strike lines 1 and 2.
- 11 Renumber succeeding subsections accordingly.
- 12 Page 7, strike lines 28 through 33.
- 13 Renumber succeeding subparagraphs accordingly.
- 14 Page 8, line 1, strike "PRACTICABLE." and substitute "PRACTICABLE; AND".
- 15 Page 8, strike lines 2 through 5.
- 16 Renumber succeeding subparagraph accordingly.
- 17 Page 8, line 40, strike "(8)(b)" and substitute "(4)(b)".
- 18 Page 9, line 3, after the first "THE" strike "FACILITY OR".

- 1 Page 9, strike lines 5 through 12.
- 2 Reletter succeeding paragraphs accordingly.
- 3 Page 9, line 37, strike "(8)" and substitute "(4)".
- 4 Page 9, line 39, strike "MARCH 1, 2025" and substitute "JANUARY 1,
5 2024".
- 6 Page 9, line 39, strike the second "MARCH" and substitute "JANUARY".
- 7 Page 10, line 40, strike "AND".
- 8 Page 10, lines 42 and 43, strike "DAYS IN VIOLATION OF SUBSECTION
9 (8)(d) OF THIS SECTION." and substitute "DAYS; AND".
- 10 Page 10, after line 43 insert:
11 "(XII) AN IMPLEMENTATION PLAN TO CONFORM WITH THE
12 REQUIREMENTS PURSUANT TO SUBSECTION (1) OF THIS SECTION,
13 INCLUDING TIME LINES, A SUMMARY OF PROGRESS, AND A COMPLIANCE
14 REPORT.
15 (b) BEGINNING IN 2024 AND EACH YEAR THEREAFTER, THE
16 DEPARTMENT SHALL PRESENT FINDINGS FROM THE REPORT DESCRIBED BY
17 THIS SECTION TO THE HOUSE OF REPRESENTATIVES AND SENATE JUDICIARY
18 COMMITTEES, OR ANY SUCCESSOR COMMITTEES, DURING THE HEARINGS
19 HELD PURSUANT TO THE "SMART ACT", PART 2 OF ARTICLE 7 OF TITLE
20 2.".
- 21 Page 11, line 3, strike "(9)" and substitute "(5)".
- 22 Page 11, line 5, strike "(9)" and substitute "(5)".
- 23 Page 11, strike lines 38 and 39.
- 24 Reletter succeeding paragraphs accordingly.
- 25 Page 11, strike line 42.
- 26 Reletter succeeding paragraphs accordingly.
- 27 Strike "FACILITY OR" on: **Page 8**, lines 17, 28 and 29, 34, and 42; and
28 **Page 9**, lines 20 and 23.

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