

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB25-1136 be amended as follows:

1 Amend reengrossed bill, page 5, strike lines 12 and 13 and substitute "BY  
2 THE PEACE OFFICER'S EMPLOYING ORGANIZATION OR ANOTHER LAW  
3 ENFORCEMENT AGENCY IN WHICH THE ALLEGED MISCONDUCT, IF  
4 SUSTAINED, WOULD MORE LIKELY THAN NOT RESULT IN BEING ENTERED  
5 INTO THE DATABASE PURSUANT TO THIS SECTION;".

6 Page 5, line 15, after "INVESTIGATION" insert "BY THE PEACE OFFICER'S  
7 EMPLOYING ORGANIZATION OR ANOTHER LAW ENFORCEMENT AGENCY IN  
8 WHICH THE ALLEGED MISCONDUCT, IF SUSTAINED, WOULD MORE LIKELY  
9 THAN NOT RESULT IN BEING ENTERED INTO THE DATABASE PURSUANT TO  
10 THIS SECTION,".

11 Page 5, line 20, strike "LAW ENFORCEMENT AGENCY" and substitute  
12 "ORGANIZATION".

13 Page 6, line 8, strike "A" and substitute "AN".

14 Page 6, strike line 9, and substitute "ORGANIZATION. THE HEAD OF THE".

15 Page 8, after line 17 insert:

16 "(c) IF A PEACE OFFICER APPEALS INCLUSION IN THE DATABASE  
17 PURSUANT TO EITHER SUBSECTION (1)(e) OR (1)(f) OF THIS SECTION AND  
18 THE PEACE OFFICER'S ORGANIZATION COMPLETED ITS INVESTIGATION OF  
19 THE OFFICER'S CONDUCT AFTER THE OFFICER RESIGNED AND THE  
20 ORGANIZATION CLEARED THE OFFICER, THE OFFICER MAY USE THAT  
21 DETERMINATION IN THEIR APPEAL.".

22 Page 10, line 1, strike "UNLAWFUL" and substitute "EXCESSIVE OR  
23 UNCONSTITUTIONAL".

24 Page 10, line 3, strike "UNLAWFUL" and substitute "EXCESSIVE OR  
25 UNCONSTITUTIONAL".

26 Page 10 of the bill, line 11, strike "AGENCY" and substitute  
27 "ORGANIZATION".

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