

SB26-149

## HOUSE FLOOR AMENDMENT

Second Reading BY REPRESENTATIVE McCluskie &amp; Caldwell

- 1 Amend reengrossed bill, page 25, lines 11 and 12, strike "intellectual or  
2 AND developmental disability, acquired or traumatic brain injury, or  
3 dementia," and substitute "~~intellectual~~ or developmental disability  
4 ~~acquired or traumatic brain injury, or dementia~~ OR A NEUROCOGNITIVE  
5 DISORDER, AS DEFINED IN SECTION 25.5-10-501,".
- 6 Page 27, line 13, strike "DISORDER" and substitute "DISORDER, AS DEFINED  
7 IN SECTION 27-65-102,".
- 8 Page 28, strike lines 4 through 6 and substitute "THE DEFENDANT HAS A  
9 NEUROCOGNITIVE DISORDER, AS DEFINED IN SECTION 25.5-10-501, OR A  
10 DEVELOPMENTAL DISABILITY:".
- 11 Page 47, line 9, after "DISORDER," insert "AS DEFINED IN SECTION  
12 27-65-102,".
- 13 Page 48, line 4, strike "intellectual and" and substitute "~~intellectual and~~".
- 14 Page 51, strike lines 18 through 25 and substitute:
- 15 "(a) ANY DIAGNOSED MENTAL DISORDER OR DEVELOPMENTAL  
16 DISABILITY GIVING RISE TO THE DEFENDANT'S INCOMPETENCY, INCLUDING  
17 AN INTELLECTUAL AND DEVELOPMENTAL DISABILITY, AS DEFINED IN  
18 SECTION 25.5-10-202, OR NEUROCOGNITIVE DISORDER, AS DEFINED IN  
19 SECTION 25.5-10-501, AND WHETHER THE DIAGNOSED MENTAL DISORDER  
20 OR DEVELOPMENTAL DISABILITY CAN BE TREATED, MITIGATED, OR  
21 MANAGED IN A WAY THAT WOULD ALLOW THE DEFENDANT TO PROGRESS  
22 TOWARD BECOMING COMPETENT TO PROCEED;".

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