

SB26-149

HOUSE FLOOR AMENDMENT

1 Second Reading BY REPRESENTATIVE McCluskie & Caldwell

2 Amend reengrossed bill, page 80, strike lines 9 through 14 and substitute:

3 "(e) THE COURT SHALL NOT PERMIT OR ORDER A DEFENDANT TO BE
4 PLACED INTO A COMMUNITY-BASED SETTING OUTSIDE OF INPATIENT CARE
5 UNLESS:

6 (I) ANY VICTIMS HAVE BEEN NOTIFIED OF A CRITICAL STAGE, AS
7 DEFINED IN SECTION 24-4.1-302 (2)(q.3), AND GIVEN THE OPPORTUNITY TO
8 BE HEARD; AND

9 (II) THE DISTRICT ATTORNEY IN THE CASE THAT SOUGHT CIVIL
10 COMMITMENT OR ENHANCED PROTECTIVE PLACEMENT HAS BEEN NOTIFIED
11 AND GIVEN AN OPPORTUNITY TO OBJECT AND BE HEARD."

12 Page 112, line 5, after "(4)" insert "(a)".

13 Page 112, after line 13 insert:

14 "(b) ONCE A PROVIDER IS DESIGNATED TO HOLD THE OUTPATIENT
15 CERTIFICATION, THE PROVIDER SHALL NOTIFY THE BHA IF THE PROVIDER
16 HAS NOT MADE CONTACT WITH THE RESPONDENT WITHIN SEVEN DAYS
17 AFTER ACCEPTING THE OUTPATIENT CERTIFICATION. THE BHA SHALL
18 NOTIFY THE COURT IN WRITING THAT THE PROVIDER HAS NOT MADE
19 CONTACT WITH THE RESPONDENT WITHIN SEVEN DAYS AFTER ACCEPTING
20 THE OUTPATIENT CERTIFICATION."

21 Page 113, strike line 6 and substitute "COURT. IF A".

22 Page 113, line 22, after "HEARING" insert "WITHIN THIRTY DAYS".

23 Page 186, line 26, after "PERSON" insert "OR THE PLACEMENT OF A PERSON
24 INTO A COMMUNITY-BASED SETTING OUTSIDE OF INPATIENT CARE AT THE
25 DISCRETION OF CDHS, AS DEFINED IN SECTION 16-8.5-101, WHEN THE
26 PERSON IS".

27 Page 188, strike line 1 and substitute "COMMUNITY-BASED SETTING
28 OUTSIDE OF INPATIENT CARE AT THE DISCRETION OF CDHS, AS DEFINED
29 IN SECTION 16-8.5-101."

30 Page 189, line 7, strike "(2)(j.6);" and substitute "(1)(j.6);".

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