

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE McCluskie

- 1 Amend reengrossed bill, page 17, line 25, strike "BUSINESS".
- 2 Page 25, strike lines 8 and 9 and substitute "AN ACT DESCRIBED IN
3 SECTION 16-8.5-118 (6)(b)(I) THAT IS NOT CHARGED IN THE CURRENT CASE
4 THE DEFENDANT IS ALLEGED TO HAVE COMMITTED AND IS OR WAS
5 CHARGED IN A CRIMINAL CASE IN COLORADO IN WHICH COMPETENCY WAS
6 RAISED."
- 7 Page 47, strike lines 5 through 7 and substitute:
- 8 "(VI) WHETHER THE DEFENDANT HAS A DEVELOPMENTAL
9 DISABILITY, AND IF THE DEFENDANT DOES HAVE A DEVELOPMENTAL".
- 10 Page 47, line 12, after "DISABILITY" insert "OR REMOVAL OF A LEGAL
11 RIGHT".
- 12 Page 47, strike line 16 and substitute "DISABILITY OR REMOVAL OF A
13 LEGAL RIGHT".
- 14 Page 49, strike lines 12 through 14 and substitute "TO OTHERS BECAUSE
15 THE PROSECUTION IS AWARE OF AN ACT DESCRIBED IN SECTION 16-8.5-118
16 (6)(b)(I) THAT IS NOT CHARGED IN THE CURRENT CASE THE DEFENDANT IS
17 ALLEGED TO HAVE COMMITTED AND IS OR WAS CHARGED IN A CRIMINAL
18 CASE IN COLORADO IN WHICH COMPETENCY WAS RAISED. IF THE
19 PROSECUTION REQUESTS AN OPINION".
- 20 Page 55, line 16, strike "or is not competent" and substitute "~~or is not~~
21 competent OR INCOMPETENT".
- 22 Page 58, line 27, strike "civil commitment proceedings" and substitute
23 "civil ~~commitment~~ proceedings".
- 24 Page 59, line 24, after "(1)" insert "(a)".
- 25 Page 60, strike lines 2 and 3 and substitute "CIVIL PROCEEDING PURSUANT
26 TO THIS SECTION, THE COURT SHALL, UNLESS THE COURT FINDS THERE IS
27 AN".

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