

SENATE FLOOR AMENDMENT

Third Reading

BY SENATOR Lee

1 Amend revised bill, page 4, line 9, strike "and (1)(a)(I)(C) and" and
2 substitute "(1)(a)(I)(C), and (2) introductory portion; and".

3 Page 5, line 7, strike "(9)" and substitute "(9),".

4 Page 5, line 9, strike "16-22-102 (9);" and substitute "16-22-102 (9), OR
5 AN OFFENSE IN WHICH THE UNDERLYING FACTS SUPPORT THE FACT THAT
6 THE OFFENDER COMMITTED, PARTICIPATED IN, OR AIDED OR ABETTED IN
7 THE COMMISSION OF A SEXUAL OFFENSE EVEN IF THE OFFENDER WAS NOT
8 CONVICTED OF A SEXUAL OFFENSE;".

9 Page 5, after line 27, insert:

10 "(2) Upon receiving a petition from an offender described in
11 subsection (1) of this section, the executive director or ~~his or her~~ THE
12 EXECUTIVE DIRECTOR'S designee shall review the petition and determine
13 whether to place the offender in the specialized program. THE EXECUTIVE
14 DIRECTOR OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL NOT PLACE AN
15 OFFENDER IN THE PROGRAM IF THE DEPARTMENT CLASSIFIED THE
16 OFFENDER AS A SEX OFFENDER PURSUANT TO DEPARTMENT
17 ADMINISTRATIVE REGULATION. In making this determination, the
18 executive director or ~~his or her~~ THE EXECUTIVE DIRECTOR'S designee shall
19 consider the following criteria:".

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