

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 29, 2016
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB16-019 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 21, after "CONDUCTED" insert "IN ANY
2 CASE THAT INCLUDES A CLASS 1 OR CLASS 2 FELONY CHARGE OR A FELONY
3 SEX OFFENSE CHARGE DESCRIBED IN SECTIONS 18-3-402, 18-3-404,
4 18-3-405, OR 18-3-405.5, C.R.S.,".

5 Page 3 of the bill, line 10, strike "July 1, 2016," and substitute "January
6 1, 2017,".

7 Amend the Judiciary Committee Report, dated February 29, 2016, page
8 1, line 8, strike "RECORDING, IF AVAILABLE." and substitute
9 "RECORDING.".

10 Page 1 of the committee report, line 17, strike "(c)" and substitute
11 "(c) (I)".

12 Page 1 of the committee report, line 20, strike "OTHERS." and substitute
13 "OTHERS OR WILL MAKE THE EXAMINATION NOT USEFUL TO THE EXPERT
14 FORENSIC OPINION.".

15 Page 2, of the committee report, after line 9 insert:

16 "(II) IF THE EXAMINATION IS NOT RECORDED IN WHOLE OR IN PART,
17 THE WRITTEN REPORT EXPLAINING THE DECISION NOT TO RECORD THE

1 EXAMINATION IS ADMISSIBLE AS EVIDENCE, AND, AT THE REQUEST OF
2 EITHER PARTY, THE COURT SHALL INSTRUCT THE JURY THAT FAILURE TO
3 RECORD THE EXAMINATION MAY BE CONSIDERED BY THE JURY IN
4 DETERMINING THE WEIGHT TO AFFORD THE EXPERT WITNESS TESTIMONY.
5 (III) THE PSYCHIATRIST OR FORENSIC PSYCHOLOGIST DOES NOT
6 NEED TO RECORD THE ADMINISTRATION OF PSYCHOMETRIC TESTING THAT
7 INVOLVES THE USE OF COPYRIGHTED MATERIAL."

8 Page 3 of the bill, before line 9 insert:

9 "SECTION 3. **Appropriation.** (1) For the 2016-17 state fiscal
10 year, \$62,831 is appropriated to the department of human services. This
11 appropriation is from the general fund. To implement this act, the
12 department may use this appropriation as follows:

13 (a) \$18,292 for use by the mental health institute at Pueblo for
14 personal services, which amount is based on an assumption that the
15 institute will require an additional 0.8 FTE;

16 (b) \$2,630 for use by the mental health institute at Pueblo for
17 operating expenses;

18 (c) \$4,703 for use by the mental health institute at Pueblo for
19 capital outlay; and

20 (d) \$37,206 for use by the office of operations for operating
21 expenses."

22 Renumber succeeding sections accordingly.

23 Page 1 of the bill, line 102, strike "RECORDED." and substitute
24 "RECORDED, AND, IN CONNECTION THEREWITH, MAKING AN
25 APPROPRIATION."

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