

SB223_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB19-223 be amended as follows:

1 Amend printed bill, page 7, line 15, after "(6)" insert "and (7)".

2 Page 14, after line 1 insert:

3 "(7) A COMPETENCY EVALUATOR IS NOT LIABLE FOR DAMAGES IN
4 ANY CIVIL ACTION FOR FAILURE TO WARN OR PROTECT A SPECIFIC PERSON
5 OR PERSONS, INCLUDING THOSE IDENTIFIABLE BY THEIR ASSOCIATION WITH
6 A SPECIFIC LOCATION OR ENTITY, AGAINST THE VIOLENT BEHAVIOR OF A
7 DEFENDANT BEING EVALUATED BY THE COMPETENCY EVALUATOR, AND
8 ANY COMPETENCY EVALUATOR MUST NOT BE HELD CIVILLY LIABLE FOR
9 FAILURE TO PREDICT SUCH VIOLENT BEHAVIOR, EXCEPT WHERE THE
10 DEFENDANT HAS COMMUNICATED TO THE COMPETENCY EVALUATOR A
11 SERIOUS THREAT OF IMMINENT PHYSICAL VIOLENCE AGAINST A SPECIFIC
12 PERSON OR PERSONS, INCLUDING THOSE IDENTIFIABLE BY THEIR
13 ASSOCIATION WITH A SPECIFIC LOCATION OR ENTITY."

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