

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB23-1182 be amended as follows:

1 Amend reengrossed bill, page 2, line19, strike "ALL" and substitute
2 "EXCEPT AS PROVIDED IN SUBSECTION (3.5)(b) OF THIS SECTION, ALL".

3 Page 3, after line 23, insert:

4 "(b) (I) THERE SHALL BE NO PRESUMPTIVE REMOTE PUBLIC
5 VIEWING OF THE FOLLOWING CRIMINAL PROCEEDINGS:

6 (A) EVIDENTIARY HEARINGS;

7 (B) TRIALS, INCLUDING JURY SELECTION;

8 (C) BENCH CONFERENCES; AND

9 (D) PROBLEM-SOLVING DOCKETS.

10 (II) THE COURT MAY ALLOW REMOTE PUBLIC VIEWING OF
11 HEARINGS LISTED IN SUBSECTION (3.5)(b)(I) OF THIS SECTION UPON ITS
12 OWN MOTION OR THE REQUEST OF ANY PERSON. IN CONSIDERING WHETHER
13 TO ALLOW REMOTE PUBLIC VIEWING OF THESE HEARINGS, THE COURT
14 SHALL ALLOW PARTIES, VICTIMS, WITNESSES, AND ATTORNEYS TO BE
15 HEARD AND PRESENT ANY OBJECTIONS. THE COURT SHALL NOT ALLOW
16 REMOTE PUBLIC VIEWING IF THE COURT FINDS THAT ANY OF THE FACTORS
17 IN SUBSECTIONS (3.5)(a)(I) TO (IV) OF THIS SECTION ARE PRESENT. IN
18 DECIDING WHETHER TO ALLOW REMOTE PUBLIC VIEWING, IN ADDITION TO
19 CONSIDERING SUBSECTIONS (3.5)(a)(I) TO (IV) OF THIS SECTION, THE
20 COURT SHALL CONSIDER:

21 (A) THE LEVEL OF PUBLIC INTEREST IN THE CASE;

22 (B) THE ABILITY OF PEOPLE, INCLUDING PEOPLE WITH DISABILITIES,
23 TO ACCESS THE COURT;

24 (C) WHETHER THERE IS A REASONABLE LIKELIHOOD THAT REMOTE
25 PUBLIC VIEWING WOULD CREATE ANY ADVERSE CONSEQUENCE TO A
26 PARTY, ATTORNEY, VICTIM, OR WITNESS;

27 (D) WHETHER THERE IS A REASONABLE LIKELIHOOD THAT REMOTE
28 PUBLIC VIEWING WOULD CAUSE A DISRUPTION OR INTERFERE WITH THE
29 PROCEEDING; AND

30 (E) WHETHER ANY VIOLATIONS OF COURT RULES, SEQUESTRATION
31 ORDERS, OR PROHIBITIONS AGAINST PHOTOGRAPHY OR SCREENSHOTS
32 HAVE OCCURRED OR ARE LIKELY TO OCCUR."

33 Reletter succeeding paragraphs accordingly.

** **