

SB 295-1
(LC 489)
3/3/21 (JLM/ps)

Requested by SENATE COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION (at the request of Judicial Department)

**PROPOSED AMENDMENTS TO
SENATE BILL 295**

1 On page 2 of the printed bill, line 5, after “upon” delete the rest of the
2 line and delete lines 6 through 9 and insert “the defendant’s current diag-
3 nosis and symptomology, the defendant’s current ability to engage in treat-
4 ment, present safety concerns relating to the defendant and any other
5 pertinent information known to the evaluator. If the defendant is in a
6 placement in a facility, the evaluator may defer to the treatment provider’s
7 recommendation regarding whether a hospital level of care is needed.”.

8 On page 3, line 33, after “defendant” insert “in writing”.

9 In line 35, after “defendant” insert “in writing”.

10 On page 5, line 32, after “that” insert “the defendant no longer needs a
11 hospital level of care due to”.

12 In line 33, delete “is not severe”.

13 On page 8, delete lines 34 and 35.

14 On page 10, line 11, delete “, at a hearing,”.

15 In line 14, delete “, to be considered at the hearing,”.

16 In line 20, delete “The court and the parties shall at the hearing” and
17 insert “If the parties agree as to the appropriate action under this section,
18 the court may, after making all findings required by law, enter any order
19 authorized by this section. If the parties do not agree as to the appropriate
20 action, the court and the parties shall, at a hearing,”.

21 In line 21, delete “determine the appropriate action and” and insert “make

1 a determination and”.

2 On page 11, after line 5, insert:

3 “(e) If the court determines that the appropriate action in the case is an
4 order for the defendant to engage in community restoration services, but the
5 defendant has a pending criminal case, warrant or hold in one or more other
6 jurisdictions, the other jurisdictions shall, within two judicial days of be-
7 coming aware of the proceeding under this section, communicate with the
8 court and the other jurisdictions, if applicable, to develop a plan to address
9 the interests of all jurisdictions in the defendant in a timely manner.”.

10 On page 12, delete line 23 and insert:

11 “(i) The defendant needs a hospital level of care due to the acuity of the
12 symptoms of the defendant’s qualifying mental disorder;”.

13 On page 13, line 14, after the period insert “The court may not order the
14 defendant to engage in community restoration services in another county
15 without permission from the other county.”.

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