

## SENATE AMENDMENTS TO SENATE BILL 295

By COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION

April 1

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

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

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

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

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

12 On page 8, delete lines 34 and 35.

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

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

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

19 In line 21, delete “determine the appropriate action and” and insert “make a determination  
20 and”.

21 On page 11, after line 5, insert:

22 “(e) If the court determines that the appropriate action in the case is an order for the defendant  
23 to engage in community restoration services, but the defendant has a pending criminal case, warrant  
24 or hold in one or more other jurisdictions, the other jurisdictions shall, within two judicial days of  
25 becoming aware of the proceeding under this section, communicate with the court and the other  
26 jurisdictions, if applicable, to develop a plan to address the interests of all jurisdictions in the de-  
27 fendant in a timely manner.”.

28 On page 12, delete line 23 and insert:

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

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

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