

HB1253_L.001

HOUSE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Judiciary.

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

HB09-1253 be amended as follows:

- 1 Amend printed bill, page 2, line 11, after "defendant.", insert "THE
 2 DEPARTMENT SHALL, PRIOR TO THE HEARING ON THE PETITION, DELIVER
 3 A COPY OF THE PETITION TO THE COURT THAT COMMITTED THE DEFENDANT
 4 TO THE CUSTODY OF THE DEPARTMENT, THE PROSECUTING ATTORNEY, AND
 5 THE DEFENDANT'S LEGAL REPRESENTATION IN THE CRIMINAL CASE, IF SUCH
 6 REPRESENTATION EXISTS, AND TO THE DEFENDANT DIRECTLY IF HE OR SHE
 7 DOES NOT HAVE LEGAL REPRESENTATION.";
- 8 line 14, after "petition", insert "may" and strike "may" and substitute
 9 "SHALL";
- 10 line 19, strike "ISSUING THE";
- 11 strike lines 20 through 24 and substitute the following:
- 12 "OF THE JURISDICTION WHERE THE DEFENDANT IS LOCATED. THE
 13 DEPARTMENT SHALL PROMPTLY DELIVER A COPY OF THE ORDER GRANTING
 14 OR DENYING THE PETITION TO THE COURT THAT COMMITTED THE
 15 DEFENDANT TO THE CUSTODY OF THE DEPARTMENT, THE PROSECUTING
 16 ATTORNEY, AND THE DEFENDANT'S LEGAL REPRESENTATION IN THE
 17 CRIMINAL CASE, IF SUCH REPRESENTATION EXISTS, AND TO THE
 18 DEFENDANT DIRECTLY IF HE OR SHE DOES NOT HAVE LEGAL
 19 REPRESENTATION."

** ** ** ** **

