

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB24-1034 be amended as follows:

1 Amend printed bill, page 10, line 13, strike "(A)" and substitute "(A)".

2 Page 10, strike lines 26 and 27 and substitute:

3 "C) (B) IF POSSIBLE, when the defendant is diagnosed with a
4 moderate to severe intellectual or developmental disability, acquired or
5 traumatic brain".

6 Page 11, strike lines 1 through 11 and substitute "injury, or dementia,
7 which either alone or together with a co-occurring mental illness affects
8 the defendant's ability to gain or maintain competency, the evaluator shall
9 provide an opinion as to whether there is a substantial probability that the
10 defendant with restoration services will attain competency within the
11 reasonably foreseeable future. When the opinion is that there is a
12 substantial probability of attaining competency, the evaluator shall
13 specifically state whether the evaluator believes there are unique or
14 different services outside the standard competency restoration curriculum
15 developed by the department that the defendant may need in order to be
16 restored to competency within the reasonably foreseeable future.".

17 Page 20, strike lines 24 through 27.

18 Page 21, strike lines 1 and 2 and substitute "THE EVALUATOR OPINES,
19 PURSUANT TO SECTION 16-8.5-105 (5)(e)(I)(B), OR ANOTHER QUALIFIED
20 EXPERT OPINES THAT THE DEFENDANT'S DIAGNOSIS LIKELY INCLUDES A
21 MODERATE TO SEVERE INTELLECTUAL OR DEVELOPMENTAL DISABILITY,
22 ACQUIRED TRAUMATIC BRAIN INJURY, OR DEMENTIA, WHICH EITHER ALONE
23 OR TOGETHER WITH A CO-OCCURRING MENTAL ILLNESS AFFECTS THE".

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