

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL NO. 500
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “authorizing a victim’s representative to be present at trial, or any other court proceeding under certain circumstances;”; strike beginning with “altering” in line 4 down through “proceedings;” in line 6; strike beginning with “applying” in line 7 down through “proceedings” in line 9, and substitute “prohibiting a judge from sequestering a victim or representative under certain circumstances”; in line 10, after “defining” insert “certain terms”; and in the same line, strike “a certain term”.

AMENDMENT NO. 2

On page 2, in line 14, strike “OR ADJUDICATED”; after line 22, insert:

“(5) “TRIAL” INCLUDES AN ADJUDICATORY HEARING AND ANY OTHER COURT PROCEEDING IN WHICH THE DEFENDANT HAS A RIGHT TO APPEAR.”;

strike in their entirety lines 25 through 29, inclusive; in line 30, strike “(C)” and substitute “(B)”; and in the same line, strike “(D) AND (E)” and substitute “(C) AND (D)”.

On page 3, in line 1, after “shall” insert “BE PRESUMED TO”; strike beginning with “OR” in line 2 down through “DEFENDANT” in line 7 and substitute “, AND”; in line 7, strike the period; in line 8, strike “(D)” and substitute “(2)”; in the same line, before “victim” insert an opening bracket; strike beginning with “AFTER” in line 8 down through “TESTIFIED” in line 9; in line 9, after “or” insert a closing bracket; strike beginning with “OR” in line 9 down through “HEARING” in line 10; in line 11, after “THAT” insert “THE DEFENDANT WOULD BE DENIED A FAIR TRIAL.”; in line 12, strike the colon; strike in their entirety lines 13 through 19, inclusive; after line 19, insert:

“(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, AFTER THE

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VICTIM OR REPRESENTATIVE HAS INITIALLY TESTIFIED, THE COURT MAY NOT SEQUESTER A VICTIM OR REPRESENTATIVE FROM THE TRIAL REGARDLESS OF WHETHER THE VICTIM OR REPRESENTATIVE WILL TESTIFY AGAIN.”;

in line 23, strike “(E)” and substitute “(D)”; and strike beginning with “OR” in line 23 down through “HEARING” in line 24.