

BY: Delegate Hubbard

AMENDMENTS TO SENATE BILL NO. 262

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Monitors and Agencies -” and substitute “- Minimum System Requirements and”; in line 4, after “of” insert “clarifying certain duties of the Secretary of Public Safety and Correctional Services with respect to adopting regulations governing minimum standards for certain equipment for private home detention systems;”; in line 12, after “charge;” insert “defining a certain term;”; in line 13, after “to” insert “minimum home detention system requirements and to”; in line 18, strike “20-101 and”; and in line 23, strike “20-305” and substitute “20-101, 20-201(a), 20-305,”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“(B) “HOME DETENTION” MEANS A STATUS ORDERED BY THE COURT AS A CONDITION OF PRE-TRIAL RELEASE, PROBATION, PAROLE, OR OTHER PROGRAM OF RELEASE TO THE COMMUNITY THAT REQUIRES AN INDIVIDUAL TO BE CONFINED AT THE INDIVIDUAL’S RESIDENCE AT ALL TIMES OTHER THAN FOR AUTHORIZED AND MONITORED EMPLOYMENT OR ACTIVITY AS MAY BE ORDERED BY THE COURT OR ALLOWED BY AN AUTHORIZED AGENT.”;

in lines 6, 10, 13, 16, and 20, strike “(b)”, “(c)”, “(d)”, “(e)”, and “(f)”, respectively, and substitute “(C)”, “(D)”, “(E)”, “(F)”, and “(G)”, respectively; and after line 21, insert:

“20-201.

(a) In addition to any duties set forth elsewhere, the Secretary shall adopt and enforce regulations to carry out this title, including regulations that establish:

(Over)

(1) minimum standards for HOME DETENTION electronic equipment capable of [monitoring 24 hours per day individuals who are under a court order that requires monitoring by a private home detention monitoring agency]:

(I) IMMEDIATE DETECTION OF THE PRESENCE OR ABSENCE OF AN INDIVIDUAL DURING ANY PERIOD REQUIRED BY COURT ORDER FOR HOME DETENTION; AND

(II) IMMEDIATE REPORTING TO THE PRIVATE HOME DETENTION MONITORING AGENCY;

(2) minimum training and experience requirements for a private home detention monitoring agency licensee and for a private home detention monitor; and

(3) the minimum number of private home detention monitors that shall be on duty in relation to the number of defendants being monitored.”.