

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 153

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "evidence;" insert "repealing a certain definition; providing for a certain exception;"; and in line 22, after "misconduct" insert "AS DETERMINED BY THE BOARD OR COMMISSION".

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 8 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 9, strike "(c)" and substitute "(B)"; in line 16, strike "(d)" and substitute "(C)"; strike beginning with the colon in line 17 down through "SECTION" in line 21 and substitute "SEXUAL MISCONDUCT"; in line 26, after "(2)" insert "EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,"; in line 27, strike "ANY OF THE TYPES OF"; in line 28, strike "SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION"; after line 31, insert:

"(3) THE SEXUAL HISTORY OF A CLIENT OR PATIENT MAY BE ADMITTED INTO EVIDENCE AT A HEARING CONDUCTED BY OR ON BEHALF OF A HEALTH OCCUPATION BOARD IF THE EVIDENCE:

(I) RELATES TO THE CLIENT'S OR PATIENT'S CONDITION THAT WAS EVALUATED OR TREATED BY THE APPLICANT, LICENSEE, OR CERTIFICATE HOLDER;

(II) IS RELEVANT AND MATERIAL TO A FACT IN ISSUE IN THE CASE; AND

(III) POSSESSES PROBATIVE VALUE THAT OUTWEIGHS ITS

(Over)

INFLAMMATORY OR PREJUDICIAL NATURE.”;

in line 32, strike “(E)” and substitute “(D)”; in line 34, strike the brackets; and in the same line, strike “(F)”.