

SB0973/543820/2

BY: Senator Shank

AMENDMENTS TO SENATE BILL 973
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after “commissioner;” insert “providing that pretrial release services may not authorize the pretrial release of a defendant if a law enforcement officer makes a certain certification; requiring a certain law enforcement officer to appear at a certain hearing;”.

AMENDMENT NO. 2

On page 15, after line 22, insert:

“(I) (1) PRETRIAL RELEASE SERVICES MAY NOT AUTHORIZE THE PRETRIAL RELEASE OF A DEFENDANT IF A LAW ENFORCEMENT OFFICER CERTIFIES BY AFFIDAVIT AND ARTICULATES UNDER OATH SPECIFIC FACTS TO SUPPORT THE CONTENTION THAT THE DEFENDANT:

(I) IS A FLIGHT RISK;

(II) POSES A CREDIBLE PUBLIC SAFETY RISK; OR

(III) IS A THREAT TO SELF OR TO OTHERS.

(2) IF A LAW ENFORCEMENT OFFICER SUBMITS AN AFFIDAVIT UNDER THIS SUBSECTION, THE LAW ENFORCEMENT OFFICER SHALL APPEAR AT A PRETRIAL RELEASE HEARING FOR THE DEFENDANT HELD BEFORE A JUDGE ON THE NEXT DAY THAT THE COURT IS IN SESSION.”