

SB0400/613720/1

BY: Judiciary Committee

AMENDMENT TO SENATE BILL 400

(Third Reading File Bill)

On page 2, strike in their entirety lines 25 and 26; and in line 27, strike “(C)” and substitute “(B)”.

On page 4, in line 4, strike “(D)” and substitute “(C)”; strike beginning with “SUBJECT” in line 8 down through the comma in line 9 and substitute “WHEN THE FINAL INTENDED DESTINATION IS A RESIDENTIAL CHILD CARE PROGRAM AND SUBJECT TO SUBSECTION (B) OF THIS SECTION,”; in line 11, strike “OR”; in line 12, strike “PHYSICAL OR”; and in line 14, after “ITEMS” insert “; OR

(3) PHYSICAL RESTRAINTS, INCLUDING HOLDS, OR OTHER USE OF PHYSICAL FORCE TO RESTRICT FREE MOVEMENT.

On page 5, in line 4, after “SUBSECTION,” insert “WHEN THE FINAL INTENDED DESTINATION IS A RESIDENTIAL CHILD CARE PROGRAM,”; in line 21, strike “AND (3)” and substitute “THROUGH (4)”; in line 26, strike “AND”; after line 26, insert:

(II) COMPENSATORY DAMAGES;

(III) STATUTORY DAMAGES UP TO \$500 PER VIOLATION; AND;

in line 27, strike “(II)” and substitute “(IV)”; and in the same line, after “RESTITUTION” insert “OR DAMAGES”.

On pages 5 through 6, strike beginning with “IF” in line 29 on page 5 down through “PARTY.” in line 2 on page 6 and substitute:

**“AN ACTION BROUGHT UNDER THIS SECTION SHALL BE FILED WITHIN
10 YEARS AFTER THE DATE THAT THE VICTIM REACHES THE AGE OF MAJORITY.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any cause of action arising before the effective date of this Act.”;

and in line 3, strike “2.” and substitute “3.”.