

SB0608/173128/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 608
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Petition;” insert “altering the time periods within which a certain certifying entity shall certify or decline a certain form under certain circumstances; requiring a certifying entity to develop protocols to assist certain petitioners to take certain actions;”.

AMENDMENT NO. 2

On page 3, in line 27, before “if” insert “**THERE IS A REBUTTABLE PRESUMPTION THAT**”; and strike beginning with the first “is” in line 27 down through the third “helpful” in line 30 and substitute “**HAS NOT UNREASONABLY REFUSED TO COOPERATE OR UNREASONABLY FAILED TO PROVIDE INFORMATION AND ASSISTANCE REASONABLY REQUESTED BY LAW ENFORCEMENT AUTHORITIES, THE VICTIM OR THE VICTIM’S PARENT, GUARDIAN, OR NEXT FRIEND SHALL BE CONSIDERED TO BE HELPFUL, TO HAVE BEEN HELPFUL, OR LIKELY TO BE HELPFUL TO THE DETECTION, INVESTIGATION, PROSECUTION, CONVICTION, OR SENTENCING, OF THE QUALIFYING CRIMINAL ACTIVITY**”.

On page 4, in line 8, strike “90” and substitute “**45**”.

On page 6, after line 1, insert:

“(K) A CERTIFYING ENTITY SHALL DEVELOP PROTOCOLS TO ASSIST PETITIONERS WHO HAVE LIMITED ENGLISH PROFICIENCY TO PROCEED UNDER THIS SECTION.”

AMENDMENT NO. 3

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On page 2, in line 20, after “**214.14**” insert “**AND 245.24**”.

On page 3, in lines 3, 8, and 12, in each instance, strike “or”; in the same lines, in each instance, strike “**INCLUDING SENTENCING,**” and substitute “**CONVICTION, OR SENTENCING**”; in line 23, after “**OR**” insert “**UNREASONABLY**”; and in line 36, after the second comma insert “**CONVICTED,**”.

On page 4, in line 2, strike “or”; strike beginning with “**INCLUDING**” in line 2 down through “**SENTENCING,**” in line 3 and substitute “**CONVICTION, OR SENTENCING**”; in line 6, strike “paragraph (2)” and substitute “**PARAGRAPHS (2), (3), AND (4)**”; after line 12, insert:

“(3) IF A NONCITIZEN VICTIM IS THE SUBJECT OF REMOVAL, EXCLUSION, OR DEPORTATION PROCEEDINGS AND IS DETAINED PENDING RESOLUTION OF THE PROCEEDINGS, THE CERTIFYING ENTITY SHALL CERTIFY OR DECLINE CERTIFICATION OF THE FORM I-918, SUPPLEMENT B CERTIFICATION WITHIN 7 DAYS AFTER RECEIVING A REQUEST UNDER SUBSECTION (A) OF THIS SECTION.

“(4) IF A QUALIFYING FAMILY MEMBER OF A NONCITIZEN VICTIM WILL LOSE ELIGIBILITY FOR U NONIMMIGRANT STATUS IN 60 DAYS OR FEWER BECAUSE OF THE AGE OF THE QUALIFYING FAMILY MEMBER, THE CERTIFYING ENTITY SHALL CERTIFY OR DECLINE CERTIFICATION OF THE FORM I-918, SUPPLEMENT B CERTIFICATION WITHIN 12 DAYS AFTER RECEIVING A REQUEST UNDER SUBSECTION (A) OF THIS SECTION.”;

strike beginning with “**THERE**” in line 17 down through “**SECTION**” in line 19 and substitute “**A CERTIFYING ENTITY MAY NOT DECLINE CERTIFICATION OF THE FORM I-918, SUPPLEMENT B CERTIFICATION SOLELY BASED ON THE AMOUNT**

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OF TIME THAT HAS PASSED SINCE A QUALIFYING CRIME WAS COMMITTED"; and in line 36, after the first "OR" insert "**UNREASONABLY**".