



SB1085/583824/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

06 MAR 24  
10:41:41

BY: Senator M. Washington  
(To be offered in the Judicial Proceedings Committee)

AMENDMENT TO SENATE BILL 1085  
(First Reading File Bill)

On page 2, strike beginning with the colon in line 11 down through the second “HOUSING” in line 15.

On page 4, in line 7, strike “VULNERABLE”.

On page 6, in line 13, strike “(1)”; and strike beginning with “THE” in line 13 down through the first “MENTAL” in line 15 and substitute “, “SERIOUS MENTAL””.

On pages 6 and 7, strike beginning with “DISORDER” in line 15 on page 6 down through “SKILLS” in line 4 on page 7 and substitute “, BEHAVIORAL, OR EMOTIONAL DISORDER RESULTING IN SERIOUS FUNCTIONAL IMPAIRMENT THAT SUBSTANTIALLY INTERFERES WITH OR LIMITS ONE OR MORE MAJOR LIFE ACTIVITIES”.

On page 7, strike in their entirety lines 5 through 8, inclusive; in line 9, after “(B)” insert “(1)”; in the same line, strike beginning with “SUBJECT” through “VULNERABLE” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN”; in line 10, strike “UNLESS” and substitute “IF THE INDIVIDUAL”; in lines 11 and 13, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; strike beginning with “THE” in line 11 down through “ILLNESS” in line 12 and substitute “IS UNDER THE AGE OF 26 YEARS OR AT LEAST 55 YEARS OLD”; in line 12, strike “AND”; strike beginning with “THE” in line 13 down through the colon in line 15 and substitute “HAS A DEVELOPMENTAL DISABILITY;”; in lines 16 and 18, strike “(I)” and “(II)”, respectively, and substitute “(III)” and “(IV)”, respectively; strike beginning with “THE” in line 16 down through “OTHERS” in line 17 and substitute “HAS”.

A SIGNIFICANT AUDITORY, VISUAL, OR PHYSICAL IMPAIRMENT"; in line 17, strike "AND"; and strike beginning with "RESTRICTIVE" in line 18 down through the period in line 20 and substitute "HAS BEEN IDENTIFIED AS HAVING A SERIOUS MENTAL ILLNESS;

(V) HAS A SERIOUS MEDICAL CONDITION THAT CANNOT EFFECTIVELY BE TREATED IN ISOLATED CONFINEMENT;

(VI) IS PREGNANT;

(VII) HAS GIVEN BIRTH WITHIN THE IMMEDIATELY PRECEDING 56 DAYS OF THE PROPOSED RESTRICTIVE HOUSING PLACEMENT; OR

(VIII) HAS SUFFERED A MISCARRIAGE OR TERMINATED A PREGNANCY WITHIN THE IMMEDIATELY PRECEDING 6 MONTHS OF THE PROPOSED RESTRICTIVE HOUSING PLACEMENT.

(2) SUBJECT TO SUBSECTION (G) OF THIS SECTION, AN INDIVIDUAL MAY BE PLACED IN RESTRICTIVE HOUSING IF:

(I) THE INDIVIDUAL IS:

1. AT LEAST 18 YEARS OLD AND UNDER THE AGE OF 26 YEARS; OR

2. HAS A SERIOUS MENTAL ILLNESS; AND

**(II) THE MANAGING OFFICIAL AND THE CHIEF PHYSICIAN OF THE CORRECTIONAL FACILITY HAVE DETERMINED, AND RECORDED IN WRITING THE REASONS FOR DETERMINING, THAT:**

**1. THE INDIVIDUAL PRESENTS A GRAVE RISK OF HARM TO THE INDIVIDUAL OR OTHERS; AND**

**2. RESTRICTIVE HOUSING IS THE ONLY MEANS OF ENSURING THE SAFETY OF THE INDIVIDUAL OR OTHERS FROM THE RISK OF HARM PRESENTED BY THE INDIVIDUAL.”**

On page 8, strike beginning with “THE” in line 29 down through “OR” in line 30.