

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

April 3, 2019

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB19-172 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, line 13, strike "and (15)".
- 2 Page 2, line 16, strike "PURPOSEFUL" and substitute "INTENTIONAL".
- 3 Page 2, strike lines 19 through 21.
- 4 Page 2, strike line 23 and substitute "(6); and **add** (9) as follows:".
- 5 Page 3, strike lines 1 through 6 and substitute:
  - 6 **"18-6.5-103. Crimes against at-risk persons - classifications.**
  - 7 (6) (a) Any person who knowingly commits caretaker neglect against an
  - 8 at-risk person or knowingly acts in a manner likely to be injurious to the
  - 9 physical or mental welfare of an at-risk person commits a class 1
  - 10 misdemeanor.
  - 11 (b) A PERSON WHO UNLAWFULLY ABANDONS AN AT-RISK PERSON
  - 12 COMMITS A CLASS 1 MISDEMEANOR.
  - 13 (9) (a) A PERSON COMMITS FALSE IMPRISONMENT OF AN AT-RISK
  - 14 PERSON IF:
    - 15 (I) (A) THE PERSON CONFINES OR DETAINS AN AT-RISK PERSON IN
    - 16 A LOCKED OR BARRICADED ROOM UNDER CIRCUMSTANCES THAT CAUSE
    - 17 BODILY INJURY OR SERIOUS EMOTIONAL DISTRESS; AND
    - 18 (B) SUCH CONFINEMENT OR DETENTION WAS PART OF A
    - 19 CONTINUED PATTERN OF CRUEL PUNISHMENT OR UNREASONABLE
    - 20 ISOLATION OR CONFINEMENT OF THE AT-RISK PERSON; OR

1            (II) THE PERSON CONFINES OR DETAINS AN AT-RISK PERSON AND  
2 UNREASONABLY RESTRICTS THAT PERSON'S FREEDOM OF MOVEMENT BY  
3 TYING, CAGING, CHAINING, OR OTHERWISE USING SIMILAR PHYSICAL  
4 RESTRAINTS OR BY THREATENING OR INTIMIDATING THE AT-RISK PERSON.  
5            (b) FALSE IMPRISONMENT OF AN AT-RISK PERSON IS A CLASS 6  
6 FELONY."

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