

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 12, 2021

Committee on Judiciary.

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

HB21-1142 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

- 1 Amend reengrossed bill, page 6, strike lines 8 through 10 and substitute:
 - 2 "(II) THE SHOWUP LOCATION MUST BE AS WELL-LIT AS
 - 3 PRACTICABLE WITH AN UNOBSTRUCTED VIEW OF THE PERSON SUBJECT TO
 - 4 THE SHOWUP;"
- 5 Page 7, line 14, strike "(3)(e)" and substitute "(3)(d)".
- 6 Page 7, line 24, strike "CLEAR AND UNOBSTRUCTED".
- 7 Page 8, line 2, strike "(3)(e)" and substitute "(3)(d)".
- 8 Page 8, line 14, strike "were" and substitute "shall be".
- 9 Page 8, strike lines 15 through 24 and substitute the following:
 - 10 "(b) THE COURT SHALL CONSIDER ANY FAILURE BY LAW
 - 11 ENFORCEMENT TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION
 - 12 WITH RESPECT TO ANY CHALLENGE TO A SHOWUP IDENTIFICATION."
- 13 Reletter succeeding paragraphs accordingly.
- 14 Page 8, line 27, strike "(3)(e)" and substitute "(3)(d)".

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