

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

January 31, 2023
Date

Committee on Judiciary.

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

HB23-1042 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 2, strike line 9.

- 2 Page 2, line 10, strike "CUSTODIAL INTERROGATION," and substitute "OR
3 AGENT KNOWINGLY COMMUNICATED ANY UNTRUTHFUL INFORMATION OR
4 BELIEF TO OBTAIN THE STATEMENT OR ADMISSION,".

- 5 Page 2, lines 14, strike "DECEPTION." and substitute "UNTRUTHFUL
6 INFORMATION OR BELIEF USED TO OBTAIN THE STATEMENT OR ADMISSION
7 OR THAT THE LAW ENFORCEMENT OFFICIAL IN GOOD FAITH REASONABLY
8 BELIEVED THE INFORMATION OR BELIEF WAS TRUE AT THE TIME IT WAS
9 USED.".

- 10 Page 2, line 16, strike "DECEPTION" and substitute "UNTRUTHFUL
11 INFORMATION OR BELIEF".

- 12 Page 3, strike lines 5 through 9 and substitute:
13 "(I) "AGENT" MEANS A PERSON WHO ACTS WITH THE MOTIVE OF
14 ASSISTING LAW ENFORCEMENT EFFORTS TO OBTAIN A CONFESSION, AS
15 SHOWN BY THE TOTALITY OF THE CIRCUMSTANCES.
16 (II) "UNTRUTHFUL INFORMATION OR BELIEF" MEANS ANY
17 UNTRUTHFUL INFORMATION OR BELIEF KNOWINGLY USED OR
18 COMMUNICATED TO A JUVENILE WHO IS THE SUBJECT OF A CUSTODIAL
19 INTERROGATION. "UNTRUTHFUL INFORMATION OR BELIEF" MAY INCLUDE
20 BUT".