

1 S.193

2 Representatives Wood of Waterbury, Bishop of Colchester, Cole of  
3 Hartford, Eastes of Guilford, Garofano of Essex, McGill of Bridport, and  
4 Noyes of Wolcott move that the report of the Committee on Judiciary be  
5 amended as follows:

6 First: In Sec. 2, 13 V.S.A. § 4815a, in subdivision (a)(2), by striking out  
7 subdivision (B) in its entirety and inserting in lieu thereof a new subdivision  
8 (B) to read as follows:

9 (B) if the person is not held without bail pursuant to section 7553 of  
10 this title, has a qualifying condition and it has been determined that the  
11 person’s release would create a substantial risk of bodily injury to another  
12 person;

13 Second: In Sec. 2, 13 V.S.A. § 4815a, in subdivision (c)(3)(B), after the  
14 word “conducted”, by inserting “by an evaluator appropriately qualified for the  
15 qualifying condition of the person”

16 Third: In Sec. 2, 13 V.S.A. § 4815a, in subdivision (c)(3)(B)(v), after the  
17 word “supervision”, by inserting “, including in a community-based  
18 placement,”

19 Fourth: In Sec. 2, 13 V.S.A. § 4815a, in subdivision (c)(4)(A), after the  
20 word “housing”, by inserting “, including a community-based placement”

1        Fifth: In Sec. 2, 13 V.S.A. § 4815a, in subdivision (c)(4), by striking out  
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3        (B) to read as follows:

4                (B) If continued commitment is ordered pursuant to subdivision (A)  
5        of this subdivision (4), the person’s commitment shall be reviewed by the  
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7                (i) every 12 months;

8                (ii) at any time upon the determination by the Agency of Human  
9        Services Medical Director that the person no longer has a qualifying condition  
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12               (iii) upon petition of the person filed at any time after 90 days  
13       following an order of continued commitment issued pursuant to subdivision  
14       (A) of this subdivision (4), and not earlier than six months after the filing of a  
15       previous petition under this subdivision (iii).

16        Sixth: In Sec. 2, 13 V.S.A. § 4815a, in subdivision (c)(5)(A), by striking  
17        out “that, upon the person’s release,” and inserting in lieu thereof “and the  
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19        Seventh: In Sec. 2, 13 V.S.A. § 4815a, in subdivision (g)(1), by striking out  
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21        (B) to read as follows:

1           (B) the Agency of Human Services Medical Director has reason to  
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5           Eighth: In Sec. 2, 13 V.S.A. § 4815a, in subdivision (g)(2), after the word  
6           “condition”, by striking out “that, if the person’s release continues,” and  
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8           Ninth: In Sec. 5, 13 V.S.A. § 4826, in subdivision (a)(1), by striking out  
9           subdivision (B) in its entirety and inserting in lieu thereof a new subdivision  
10          (B) to read as follows:

11           (B) “Forensic facility” means a locked secure facility that provides a  
12           suitable clinical setting and is licensed as a therapeutic community residence as  
13           defined in 33 V.S.A. § 7102(11) where:

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1        Tenth: In Sec. 5, 13 V.S.A. § 4826, in subdivision (b)(6), by striking out  
2        “24 hours a day, seven days a week;” and inserting in lieu thereof “as clinically  
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