

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 10, 2015  
Date

Committee on Judiciary.

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

HB15-1094 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 20, after "OFFENDER" insert "AND  
2 PARTICIPATING VICTIMS, IF PRACTICABLE,".

3 Page 3, strike line 26 and substitute "(3) (b) (II) and (3) (b) (III) (A); and  
4 **add** (3) (b) (II.5), (3) (b) (III) (C), and (3) (b) (III) (D) as follows:".

5 Page 4, after line 2 insert:

6 "(II) Has not been previously adjudicated for an offense that  
7 would be a felony if committed by an adult; ~~and has not previously~~  
8 ~~participated in the pilot project established by this section; and~~ EXCEPT  
9 THAT THE DISTRICT ATTORNEY MAY WAIVE THIS FIRST-TIME OFFENDER  
10 QUALIFICATION.

11 (II.5) HAS NOT PREVIOUSLY PARTICIPATED IN THE PILOT PROJECT  
12 ESTABLISHED BY THIS SECTION; AND".

13 Page 4, strike lines 7 through 11 and substitute:

14 "(C) A PETTY OFFENSE IF CHARGED AGAINST AN ADULT; OR  
15 (D) A MUNICIPAL OFFENSE IF CHARGED AGAINST AN ADULT,  
16 INCLUDING WHEN THE CITING OR ARRESTING LAW ENFORCEMENT AGENCY  
17 DIRECTLY DIVERTS THE JUVENILE TO A RESTORATIVE JUSTICE PILOT  
18 PROJECT SITE.".

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