

COMMITTEE ON JUDICIARY
SENATE AMENDMENTS TO H.B. 2133
(Reference to House engrossed bill)

- 1 Page 1, line 35, strike "SIGNIFICANT"
2 Line 38, after "affected" strike remainder of line
3 Strike lines 39 through 43, insert "NOTICE PURSUANT TO SECTION 41-1604.19.
4 The county, city or town and school district may contest establishment of a
5 community correctional center by written objection filed with the
6 department within thirty days after receiving notice, and may request a
7 hearing to be conducted by the department pursuant to chapter 6, article 6
8 of this title."
9 Page 2, line 3, after the second semicolon insert "exception:"
10 Line 5, strike "SIGNIFICANT"
11 Line 6, strike "SIXTY" insert "FORTY-FIVE"
12 Line 8, after "EACH" strike remainder of line
13 Line 9, strike "DATABASE" insert "REAL PROPERTY OWNER, AS SHOWN ON THE LAST
14 ASSESSMENT OF THE PROPERTY"
15 Line 10, strike "SIGNIFICANT"
16 Line 12, after the period strike remainder of line
17 Strike lines 13 and 14
18 Lines 21, 24, 26, 28, 31, 34, 38 and 41, strike "SIGNIFICANT"
19 Line 42, strike "DAY CARE CENTER" insert "CHILD CARE FACILITY"
20 Line 44, strike "SIGNIFICANT"
21 Page 3, line 1, after "REQUEST" insert "OF THE STATE DEPARTMENT OF CORRECTIONS";
22 after "EDUCATION" strike remainder of line
23 Strike line 2
24 Line 3, strike "INFORMATION"; strike "TO THE STATE DEPARTMENT OF CORRECTIONS"
25 Line 4, after "OF" insert "DISTRICT SCHOOLS,"
26 Line 5, after "PARAGRAPHS" insert "9,"
27 Line 6, after "REQUEST" insert "OF THE STATE DEPARTMENT OF CORRECTIONS"; after
28 "SERVICES" strike remainder of line

- 1 Page 3, line 7, strike "GOVERNMENTAL ENTITY THAT MAY HAVE THE INFORMATION";
2 strike "TO THE"
- 3 Line 8, strike "STATE DEPARTMENT OF CORRECTIONS"; strike "DAY CARE CENTERS"
4 insert "CHILD CARE FACILITIES"
- 5 Strike lines 11 through 17
- 6 Reletter to conform
- 7 Line 25, strike "H" insert "F"
- 8 Between lines 25 and 26, insert:
9 "4. THE OVERALL TIME FRAME DURING WHICH THE DEPARTMENT WILL EITHER
10 APPROVE OR REJECT THE ESTABLISHMENT OF ANY CORRECTIONAL FACILITY OR CHANGE
11 OF USE OF A CORRECTIONAL FACILITY.
12 5. A STATEMENT THAT A REPORT OF THE ORAL COMMENTS RECEIVED AT THE
13 HEARING AND THE WRITTEN COMMENTS RECEIVED BY THE DEPARTMENT WILL BE
14 AVAILABLE ON THE DEPARTMENT'S WEBSITE."
- 15 Line 27, strike "THREE" insert "A"; after "CONSPICUOUS" strike remainder of
16 line
- 17 Line 28, strike "LIKELY TO OBSERVE THE SIGN" insert "LOCATION ON THE PROPOSED
18 SITE OR ON THE SITE FOR WHICH THE CHANGE OF USE IS PROPOSED"
- 19 Line 29, strike "H" insert "F"
- 20 Line 33, strike "SIGNIFICANT"
- 21 Line 36, strike "AFTER THE PUBLIC HEARING" insert "THE DEPARTMENT SHALL
22 RECEIVE ORAL COMMENTS AT THE HEARING AND WRITTEN COMMENTS BEFORE THE
23 HEARING. THE DEPARTMENT SHALL COMPILE ALL OF THE WRITTEN COMMENTS INTO A
24 REPORT AND SHALL POST THE REPORT WITH THE MINUTES OF THE HEARING ON THE
25 DEPARTMENT'S WEBSITE WITHIN FIVE CALENDAR DAYS AFTER THE HEARING. THE
26 DEPARTMENT SHALL SUBMIT THE REPORT ELECTRONICALLY TO ALL OF THE ENTITIES
27 LISTED IN SUBSECTION A, PARAGRAPHS 2, 3, 4 AND 5 OF THIS SECTION. AT LEAST
28 FIFTEEN DAYS AFTER THE HEARING AND AFTER THE DEPARTMENT HAS CONSIDERED THE
29 PUBLIC COMMENTS"
- 30 Line 38, strike "SIGNIFICANT"

1 Page 3, strike lines 40 through 44, insert:

2 "G. THIS SECTION DOES NOT APPLY TO THE RECLASSIFICATION OF CUSTODY
3 LEVELS OR DESIGNATED USE OF AN EXISTING CORRECTIONAL FACILITY OR THE
4 HOUSING ASSIGNMENTS OF INMATES OR OFFENDERS WITHIN A CORRECTIONAL
5 FACILITY."

6 Page 4, between lines 1 and 2, insert:

7 "1. "CHANGE OF USE" MEANS THE INTRODUCTION OF ADULT OFFENDERS OR
8 INMATES INTO A DEPARTMENT OF JUVENILE CORRECTIONS FACILITY OR THE
9 INTRODUCTION OF ADULT INMATES INTO ANY CORRECTIONAL FACILITY THAT HAD
10 PREVIOUSLY BEEN DESIGNATED AS A COMMUNITY CORRECTIONAL CENTER."

11 Renumber to conform

12 Line 11, after the second quotation marks strike remainder of line

13 Strike lines 12 through 16, insert "MEANS THE CONSTRUCTION OF A CORRECTIONAL
14 FACILITY OR THE INTRODUCTION OF INMATES OR OFFENDERS FROM ANOTHER LOCATION
15 INTO A NEWLY ESTABLISHED CORRECTIONAL FACILITY WHERE INMATES OR OFFENDERS
16 WERE NOT PREVIOUSLY LOCATED OR HOUSED."

17 Page 5, line 13, strike "SIGNIFICANT"

18 Page 6, line 28, strike "SIGNIFICANT"

19 Line 31, "~~affected~~" strike remainder of line

20 Strike lines 32 through 35, insert "NOTICE PURSUANT TO SECTION 41-1604.19.

21 The county, city, town and school district may contest establishment of a
22 community correctional center by written objection filed with the
23 department within thirty days after receiving notice and may request a
24 hearing pursuant to chapter 6, article 6 of this title."

25 Amend title to conform

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3/22/2017
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C: ns