

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 1082 & 1094, Page 3, Section 552.020,
2 Line 40, by inserting after the number "(4)" the following:

3
4 "An opinion, if the accused is found to lack capacity to understand the proceedings against him or
5 her or to assist in his or her own defense, as to whether there is a substantial probability that the
6 accused will be mentally fit to proceed in the reasonably foreseeable future;

7 (5)"; and

8
9 Further amend said bill and section, Pages 3-4, by renumbering all subsequent subdivisions
10 accordingly; and

11
12 Further amend said bill and section, Page 4, Line 59, by inserting after the number "4." the
13 following:

14
15 "When the court determines that the accused can comply with the bond and treatment conditions as
16 referenced in subsection 3 of this section, the court shall order that the accused remain on bond
17 while receiving treatment until the case is disposed of as set forth by subsection 12 of this section.
18 If, at any time, the court finds that the accused has failed to comply with the bond and treatment
19 conditions, the court may order that the accused be taken into law enforcement custody until such
20 time as a department inpatient bed is available to provide treatment.

21 5."; and

22
23 Further amend said bill and section, Pages 4-8, by renumbering all subsequent subsections
24 accordingly; and

25
26 Further amend said bill and section, Page 5, Line 104, by deleting the word "may" and inserting in
27 lieu thereof the word "[~~may~~] shall"; and

28
29 Further amend said bill, page, and section, Line 105, by deleting the word "may" and inserting in
30 lieu thereof "[~~may~~]"; and

31
32 Further amend said bill, page, and section, Line 118, by inserting after the word "health." the words
33 "The director of the department, or his or her designee, shall determine the locations and conditions
34 under which treatment shall be provided. The director shall notify the court and the parties of the
35 location and conditions for treatment as determined by the department."; and

36
Action Taken _____ Date _____

- 1 Further amend said bill by amending the title, enacting clause, and intersectional references
- 2 accordingly.