

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on **Judiciary** recommends **SB 481** be amended on page 1, in line 36, by striking "notification of" and inserting "certification to";

On page 2, in line 1, by striking "found" and inserting "determined by the examiner to be"; in line 3, by striking all after "(h)"; by striking all in line 4; in line 5, by striking all before "Such" and inserting "Upon certification to the court that a defendant subject to examination under this section has been determined by the examiner to be incompetent to stand trial, the court shall conduct a hearing to make a finding in writing regarding the competency of such defendant."; in line 7, by striking "determines" and inserting "finds that"; in line 8, after "dismissed" by inserting "without prejudice"; in line 14, after "(j)" by inserting "If the city attorney receives credible information that a defendant who was previously found to be incompetent to stand trial has regained competency, the city attorney may refile the charges within the applicable statute of limitations.

(k) If a charge is refiled by the city attorney pursuant to subsection (j), the court shall conduct a hearing to make a finding in writing regarding the current state of the defendant's competency. The defendant shall be present for any hearing to determine competency.

(l)";

On page 4, in line 9, by striking "to find a defendant incompetent to stand trial"; and the bill be passed as amended.

_____ Chairperson