



## *Synopsis of Senate Committee Amendments\**

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### **Sub. H.B. 471**

127th General Assembly  
(S. Judiciary – Criminal Justice)

The Senate Committee changed the House-passed version of the bill as follows:

(1) In the provisions of the House-passed version of the bill that relate to records of the coroner, other than the provisions that specify that the coroner of the county where the death was pronounced is responsible for the release of all public records related to that death, it removed references to "the coroner who has jurisdiction over the case."

(2) It added provisions that specify that, if a person files a petition requesting the issuance of a civil protection order for the benefit of an alleged victim of the offense of "menacing by stalking" or of a sexually oriented offense: (a) if the court after a full hearing upon request by the petitioner or upon its own motion finds by clear and convincing evidence that the petitioner reasonably believed that the respondent's conduct at any time preceding the filing of the petition endangered the health, welfare, or safety of the person to be protected and that the respondent presents a continuing danger to that person, the court may order that the respondent be electronically monitored for a period of time and under the terms and conditions that the court determines are appropriate (the electronic monitoring will be in addition to any other relief granted to the petitioner), (b) if the petitioner seeks relief in the form of electronic monitoring of the respondent, the petition must contain or state an allegation that at any time preceding the filing of the petition the respondent engaged in conduct that would cause a reasonable person to believe that the health, welfare, or safety of the person to be protected was at risk, a description of the nature and extent of that conduct, and an allegation that the respondent presents a continuing danger to that person, and (c) if the court issues the civil protection order and includes in the order required electronic monitoring of the respondent, the court must direct the sheriff's office or any other appropriate law enforcement agency to install the electronic monitoring device and to monitor the respondent and, unless the respondent is indigent, must order the respondent to pay the cost of the installation and monitoring of the electronic monitoring device (if the respondent is indigent, the cost of the installation and monitoring of the electronic monitoring device must be paid out of funds from the existing Reparations Fund).

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\* This synopsis does not address amendments that may have been adopted on the Senate floor.

It added provisions that specify that, if an offender commits the offense of "violating a protection order" and the protection order violated was a civil protection order for the benefit of an alleged victim of the offense of menacing by stalking or of a sexually oriented offense, the court may require in addition to any other sentence imposed that the offender be electronically monitored for a period not exceeding five years by a law enforcement agency designated by the court and, unless the respondent is indigent, that the offender pay the costs of the installation of the electronic monitoring device and the cost of monitoring the electronic monitoring device (if the court imposes such a requirement and the respondent is indigent, the cost of the installation and monitoring of the electronic monitoring device must be paid out of funds from the existing Reparations Fund).

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