

**E2SSB 5051** - H AMD TO APP COMM AMD (H-1458.2/21) **604**

By Representative Walsh

**NOT ADOPTED 04/07/2021**

1 On page 4, beginning on line 15 of the striking amendment, after  
2 "on" strike "a preponderance of the" and insert "clear, cogent, and  
3 convincing"

4  
5 On page 29, beginning on line 38 of the striking amendment, after  
6 "commission is" strike all material through "of the" on line 39 and  
7 insert "clear, cogent, and convincing"

8

EFFECT: Modifies the burden of proof within the definition of "finding" to require a determination based on clear, cogent, and convincing evidence, rather than a preponderance of the evidence, of misconduct. Reinstates the current law burden of proof of clear, cogent, and convincing evidence for actions before the Criminal Justice Training Commission, rather than preponderance of the evidence in the underlying bill.

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