

E2SSB 5163 - H AMD TO PS COMM AMD (H-1371.1/21) **544**

By Representative Klippert

NOT ADOPTED 04/08/2021

1 On page 9, line 25 of the striking amendment, after "court" strike
2 "shall" and insert "~~(shall)~~ may"

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4 On page 9, line 32 of the striking amendment, after "court" strike
5 "shall" and insert "may"

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7 On page 10, line 3 of the striking amendment, after "court" strike
8 "shall" and insert "may"

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EFFECT: Modifies certain requirements for proceedings on contested petitions for unconditional and conditional release of sexually violent predators, including: (1) providing that the court has discretion to set a hearing on the issue of unconditional release after the state fails to present sufficient evidence that the person is still a sexually violent predator (rather than requiring the court to set a hearing in these circumstances as provided in current law); (2) providing that the court has discretion to order the Department of Social and Health Services (DSHS) to identify a preliminary less restrictive alternative placement when the state fails to present sufficient evidence that conditional release is inappropriate (rather than requiring the court to order the DSHS to identify an LRA placement in these circumstances as provided in the underlying bill); and (3) providing that the court has discretion to set a hearing on the issue of conditional release after a less restrictive placement has been identified by either the DSHS or the sexually violent predator (rather than requiring the court to set a hearing on the issue of conditional release under these circumstances as provided in the underlying bill).

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