

FORTY- SEVENTH LEGISLATURE
FIRST SESSION, 2005

SB 645/a

February 27, 2005

Madam President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

SENATE BILL 645

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 2, line 15, strike "and" and between lines 15 and 16, insert the following subsection:

"B. "family education program" means a county or municipal program that provides information to families about the purposes and operation of the curfew ordinance and the availability of community services; and".

2. Reletter the succeeding subsection accordingly.

3. On page 3, line 24, strike the second occurrence of "and".

4. On page 4, line 3, strike the period and quotation marks and insert in lieu thereof "; and".

5. On page 4, between lines 3 and 4, insert the following new subsection to read:

"D. the ordinance provides that a law enforcement officer when stopping and questioning a child shall not question the child as to any other matter except to determine the child's identity, age, address, phone number, the name and address of the child's parent, guardian or custodian and whether the child qualifies for one of the exceptions to the ordinance or to the Curfew Enforcement Act. The ordinance shall prohibit any other interrogation of the child by a law enforcement officer unless it is specifically otherwise authorized by law. "".

6. On page 4, line 13, strike "out" and insert in lieu thereof

FORTY- SEVENTH LEGI SLATURE
FIRST SESSI ON, 2005

SPAC/SB 645

Page 2

"outside the home or away from the direct supervision of the child's parent, legal guardian or custodian".

7. On page 4, line 22, strike "warning to the child" and insert in lieu thereof "written warning to the child and send a copy to the child's parent, legal guardian or custodian; the warning shall be kept on file by the municipality or county until the child reaches eighteen years of age".

8. On page 4, line 23, after "child" insert "and the child's parents, legal guardian or custodian".

9. On page 5, line 1, strike "department" and insert in lieu thereof "municipality or county".

10. On page 5, line 25, after the period insert:

"The data shall include information as to the race, age and sex of a child cited pursuant to a curfew ordinance but shall not include any personal information such as photographs, tattoos, name or home address by which a child or family could be identified."

11. On page 5, after line 25, insert the following new section:

"Section 8. DELAYED REPEAL. --The Curfew Enforcement Act is repealed effective July 1, 2009."

12. Renumber the succeeding section accordingly. ,

and thence referred to the JUDICIARY COMMITTEE.

FORTY- SEVENTH LEGI SLATURE
FIRST SESSI ON, 2005

SPAC/SB 645

Page 3

Respectfully submitted,

Dede Feldman, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 4 For 1 Against

Yes: 4

No: Ortiz y Pino

Excused: Garcia, Kernan, Papen, Taylor

Absent: None

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