

**ESB 5561** - H AMD TO H AMD (H-2943.1/22) **1362**

By Representative Gilday

1 On page 1, line 16 of the striking amendment, after "crime" insert  
2 "if the person was convicted or found not guilty by reason of insanity  
3 for a class B or class C felony offense"

4  
5 On page 1, line 17 of the striking amendment, after "(c)" insert  
6 "The person has spent three consecutive years, immediately preceding  
7 the petition, in the community without being convicted or found not  
8 guilty by reason of insanity of any felony, gross misdemeanor, or  
9 misdemeanor crime if the person was convicted or found not guilty by  
10 reason of insanity for a nonfelony offense;

11 (d)"

12  
13 Reletter the remaining subsections consecutively and correct any  
14 internal references accordingly.

15

EFFECT: Provides that if the disqualifying offense is a nonfelony offense, the petitioner must have spent three years (rather than five years) immediately preceding the petition in the community with no new convictions or findings of not guilty by reason of insanity.

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