

SB0791/853425/1

BY: Senator McKay

AMENDMENT TO SENATE BILL 791, AS AMENDED
(First Reading File Bill)

On page 4 of the Judicial Proceedings Committee amendments (SB0791/973824/1), in line 9 of Amendment No. 2, after "SECTION" insert ".

(E) AN EMPLOYEE OR AGENT OF A LOCAL CORRECTIONAL FACILITY OR A STATE CORRECTIONAL FACILITY IS NOT LIABLE UNDER THIS SUBSECTION IF:

(1) THE EMPLOYEE OR AGENT IS ACTING IN GOOD FAITH; AND

(2) THE EMPLOYEE OR AGENT REASONABLY BELIEVES THAT THE EMPLOYEE OR AGENT IS COMPLYING WITH THE REQUIREMENTS OF THIS SECTION".

On page 6 of the bill, in line 7, after "requirement" insert ".

(C) A LAW ENFORCEMENT AGENT IS NOT LIABLE UNDER THIS SECTION IF:

(1) THE LAW ENFORCEMENT AGENT IS ACTING IN GOOD FAITH; AND

(2) THE LAW ENFORCEMENT AGENT REASONABLY BELIEVES THAT THE LAW ENFORCEMENT AGENT IS COMPLYING WITH THE REQUIREMENTS OF THIS SECTION".