

1 **HB 1427 - H AMD 0235 ADOPTED 3-17-03**  
2 By Representative Darneille

3 On page 1, line 9, after "crime is" insert "dead or"

4 On page 1, beginning on line 9, after "testify" strike all  
5 material through "testify" on line 10

6 On page 2, line 2, after "statement" insert ", including the  
7 elements of the offense"

8 On page 2, beginning on line 3, after "statement" strike all  
9 material through "The" on line 4 and insert "and the"

10 Reletter the remaining subsections consecutively.

**EFFECT:** Limits the application of the bill to criminal proceedings where the victim of the crime is dead or incompetent to testify. Specifically provides that the court, in determining whether the defendant's statement is trustworthy, must consider whether there is any evidence corroborating or contradicting the elements of the offense set out in the statement. Combines two of the factors the court must consider in determining whether the statement is trustworthy into one subsection.