

## 2nd Sub. H.B. 195

# CRIMINAL INVESTIGATIONS OF SCHOOL EMPLOYEES

SENATE FLOOR AMENDMENTS

AMENDMENT 1

MARCH 3, 2023 4:38 PM

Senator **Daniel McCay** proposes the following amendments:

1. Page 2, Line 55 through Page 3, Line 58:

55 (5) If a local school board has actual or constructive knowledge that an employee is the  
56 subject of an ongoing criminal investigation of crime related to an offense against a minor  
57 described in Subsection 30-5a-103(10):

58 (a) the local school board shall place the employee on ~~{paid}~~ administrative leave, in  
accordance with Subsection (5)(d) and while

2. Page 3, Lines 68 through 74:

68 (ii) the employee shall pay back all salary compensation that the employee received  
69 during the paid administrative leave period described in Subsection (5)(a) ~~{-}~~ ; and  
(d) there is a rebuttable presumption that the administrative leave described in Subsection (5)(a) is paid  
leave, unless the local school board has established criteria regarding the circumstances under which the  
administrative leave may be unpaid leave.

70 ~~{(d)(i)}~~ (6) Nothing in this section restricts the power of a local school board to take  
71 employment action against the employee beyond the action described in this Subsection (5)  
72 while the employee is under criminal investigation, regardless of whether the employment  
73 action is related to the basis for the criminal investigation, including termination for cause  
74 based on: