

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 191

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute "Criminal Procedure - Service of Process - State and Local Detention Facilities"; in line 5, strike "act as peace officers for the purpose of serving" and substitute "serve"; in line 6, strike "on a person held"; in line 7, after the semicolon insert "authorizing certain persons in charge of local detention centers to designate certain employees to serve a criminal summons, warrant, or charging document within the local detention center; requiring certain training; providing for the construction of this Act;"; in line 9, after "Services" insert "and local detention centers"; and in line 17, after "6-309" insert "and 6-310".

AMENDMENT NO. 2

On page 1, strike beginning with "ACT" in line 25 down through "SERVING" in line 26 and substitute "SERVE".

On page 2, strike beginning with "ACT" in line 4 down through "RULES" in line 6 and substitute "SERVE A CRIMINAL SUMMONS, WARRANT, OR CHARGING DOCUMENT"; in lines 7 and 8, strike "ACT AS A PEACE OFFICER" and substitute "SERVE CRIMINAL PROCESS".

AMENDMENT NO. 3

On page 2, after line 16, insert:
"6-310.

(A) IN THIS SECTION, "ADMINISTRATOR" INCLUDES THE SHERIFF, DIRECTOR, SUPERINTENDENT, WARDEN, OR OTHER OFFICER IN CHARGE OF A LOCAL DETENTION CENTER.

(B) THE ADMINISTRATOR MAY DESIGNATE EMPLOYEES OF THE LOCAL

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DETENTION CENTER TO SERVE A CRIMINAL SUMMONS, WARRANT, OR CHARGING DOCUMENT.

(C) THE AUTHORITY OF AN INDIVIDUAL DESIGNATED TO SERVE CRIMINAL PROCESS UNDER THIS SECTION SHALL BE LIMITED TO THE SERVICE OF PROCESS WITHIN THE LOCAL DETENTION CENTER.

(D) THE ADMINISTRATOR SHALL ENSURE THAT AN EMPLOYEE DESIGNATED TO SERVE CRIMINAL PROCESS HAS RECEIVED ADEQUATE TRAINING.

(E) THIS SECTION MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF ANY EMPLOYEE OF THE LOCAL DETENTION CENTER TO SERVE CIVIL PROCESS AS PROVIDED IN THE MARYLAND RULES.”.