

HB0331/786285/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 331

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and V. Turner” and substitute “V. Turner, Hammen, Pendergrass, Cullison, Donoghue, Elliot, Frank, A. Kelly, Krebs, McDonough, Nathan-Pulliam, Oaks, Ready, and Reznik”; in line 5, after “occurred;” insert “providing that compliance with certain provisions of this Act is not an admission to a certain violation and may not be used as evidence in a certain proceeding;”; and in line 7, after “violations;” insert “requiring a court to consider certain factors when determining the amount of a certain fine;”.

AMENDMENT NO. 2

On page 2, after line 18, insert:

**“(III) COMPLIANCE BY A PUBLIC BODY OR A MEMBER OF A PUBLIC BODY WITH SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH:**

**1. IS NOT AN ADMISSION TO A VIOLATION OF A PROVISION OF THIS SUBTITLE BY THE PUBLIC BODY; AND**

**2. MAY NOT BE USED AS EVIDENCE IN A PROCEEDING CONDUCTED IN ACCORDANCE WITH § 10-510 OF THIS SUBTITLE.”**

AMENDMENT NO. 3

On page 3, in line 11, before the opening bracket insert “**(A)**”; in line 14, strike “**\$1,000**” and substitute “**:**”

(Over)

**(1)    \$250**”;

in the same line, after “VIOLATION” insert a semicolon; in line 15, strike “\$10,000” and substitute:

**“(2)    \$1,000**”;

in line 16, strike “OF” and substitute “AFTER”; and after line 16, insert:

**“(B)    WHEN DETERMINING THE AMOUNT OF A FINE UNDER SUBSECTION (A) OF THIS SECTION, THE COURT SHALL CONSIDER THE FINANCIAL RESOURCES AVAILABLE TO THE PUBLIC BODY AND THE ABILITY OF THE PUBLIC BODY TO PAY THE FINE.”**.