

HB0014/518273/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 14
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Part-Time School Employees, Contractors, and Coaches –”; in line 3, after “Minors” insert “- School Employees”; strike beginning with “to” in line 6 down through “coaches” in line 9; and strike beginning with “who” in line 11 down through “program” in line 12 and substitute “under certain circumstances; providing that a certain violation under this Act is not included within a certain definition for a certain registry”.

On page 2, after line 4, insert:

“BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–701(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–701(o)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike beginning with the colon in line 6 down through “**(I)**” in line 7; in lines 8 and 9, strike “**1.**” and “**2.**”, respectively, and substitute “**(i)**” and “**(ii)**”, respectively; in line 9, strike the brackets; in the same line, strike “full-time”; strike beginning with “**OR**” in line 10 down through “**A.**” in line 11; strike beginning with “**;**

(Over)

OR” in line 12 down through the second **“SCHOOL”** in line 14; in line 15, strike **“3.”** and substitute **“(iii)”**; strike beginning with **“; OR”** in line 16 down through **“PROGRAM”** in line 25; and in line 26, strike **“COACH,”**.

On page 4, in line 8, strike **“(I)”**; in line 9, after “person” insert **“WHO IS EMPLOYED FULL-TIME AS A PERSON”**; strike beginning with **“, AS”** in line 9 down through **“SECTION,”** in line 10; in line 11, after “who” insert **“THE PERSON KNOWS”**; strike in their entirety lines 13 through 19, inclusive; in line 20, strike **“(I)”**; in line 21, after “person” insert **“WHO IS EMPLOYED FULL-TIME AS A PERSON”**; in lines 21 and 22, strike **“, AS DEFINED IN SUBSECTION (A)(1)(I) OF THIS SECTION,”**; in line 23, after “who” insert **“THE PERSON KNOWS”**; strike in their entirety lines 25 through 31, inclusive, and substitute:

“(D) EXCEPT AS PROVIDED IN § 3-307(A) OF THIS SUBTITLE OR SUBSECTIONS (B) OR (C) OF THIS SECTION, A PERSON WHO IS EMPLOYED PART-TIME AS A PERSON IN A POSITION OF AUTHORITY WHO IS AT LEAST 8 YEARS OLDER THAN THE VICTIM MAY NOT ENGAGE IN SEXUAL CONTACT, A SEXUAL ACT, OR VAGINAL INTERCOURSE WITH A MINOR WHO THE PERSON KNOWS, AT THE TIME OF THE SEXUAL CONTACT, SEXUAL ACT, OR VAGINAL INTERCOURSE, IS A STUDENT ENROLLED AT A SCHOOL WHERE THE PERSON IN A POSITION OF AUTHORITY IS EMPLOYED.”;

and in line 32, strike “(d)” and substitute **“(E)”**.

AMENDMENT NO. 3

On page 5, after line 7, insert:

“Article – Criminal Procedure

- (a) In this subtitle the following words have the meanings indicated.
- (o) “Tier I sex offender” means a person who has been convicted of:
- (1) conspiring to commit, attempting to commit, or committing a violation of § 3–308(B) OR (C) of the Criminal Law Article;
- (2) conspiring to commit, attempting to commit, or committing a violation of § 3–902 or § 11–208 of the Criminal Law Article, if the victim is a minor;
- (3) a crime committed in a federal, military, tribal, or other jurisdiction that, if committed in this State, would constitute one of the crimes listed in item (1) or (2) of this subsection;
- (4) any of the following federal offenses:
- (i) misleading domain names on the Internet under 18 U.S.C. § 2252B;
- (ii) misleading words or digital images on the Internet under 18 U.S.C. § 2252C;
- (iii) engaging in illicit conduct in foreign places under 18 U.S.C. § 2423(c);
- (iv) failure to file a factual statement about an alien individual under 18 U.S.C. § 2424;
- (v) transmitting information about a minor to further criminal sexual conduct under 18 U.S.C. § 2425;

(vi) sex trafficking by force, fraud, or coercion under 18 U.S.C. § 1591; or

(vii) travel with intent to engage in illicit conduct under 18 U.S.C. § 2423(b);

(5) any military offense specified by the Secretary of Defense under Section 115(A)(8)(C)(i) of Public Law 105–119 (codified at 10 U.S.C. § 951 Note) that is similar to those offenses listed in item (4) of this subsection; or

(6) a crime in a court of Canada, Great Britain, Australia, New Zealand, or any other foreign country where the United States Department of State has determined in its Country Reports on Human Rights Practices that an independent judiciary generally or vigorously enforced the right to a fair trial during the year in which the conviction occurred that, if the crime were committed in this State, would constitute one of the crimes listed in items (1) through (5) of this subsection.”.