SB0973/193723/2

BY: Senator Miller

<u>AMENDMENTS TO SENATE BILL 973, AS AMENDED</u>
(First Reading File Bill)

<u>AMENDMENT NO. 1</u>

On page 2 of the bill, in line 6, after "Commission" insert "<u>subject to a certain approval</u>".

<u>AMENDMENT NO. 2</u>

On page 3 of the bill, in line 33, after "**(A)**" insert "**<u>(1)</u>**".

On page 4 of the bill, in lines 1 and 4, strike "**(1)**" and "**(2)**", respectively, and substitute "**<u>(I)</u>**" and "**<u>(II)</u>**", respectively; in line 5, after "**ADOPTION**" insert "**<u>, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,</u>**"; and after line 6 insert:

"**<u>(2)</u>**   **<u>(I)</u>**   **<u>A VALIDATED RISK ASSESSMENT TOOL MAY NOT BE ADOPTED BY THE SECRETARY UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION UNLESS THE TOOL IS APPROVED BY THE COURT OF APPEALS STANDING COMMITTEE ON RULES OF PRACTICE AND PROCEDURE.</u>**

<u>(II)</u>   **<u>ANY CHANGE TO THE VALIDATED RISK ASSESSMENT TOOL ADOPTED BY THE SECRETARY UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE APPROVED BY THE COURT OF APPEALS STANDING COMMITTEE ON RULES OF PRACTICE AND PROCEDURE BEFORE THE CHANGE IS IMPLEMENTED.</u>**".

<u>AMENDMENT NO. 3</u>

On page 16 of the Judicial Proceedings Committee Amendments (SB0973/248075/1), in line 4 of Amendment No. 10, after "<u>(a)</u>" insert "<u>(1)</u>"; in the same line, strike "<u>The</u>" and substitute "<u>subject to paragraph (2) of this subsection, the</u>"; after line 8, insert:

<div align="right">(Over)</div>

"(2)   Before the Secretary may establish a Pretrial Release Services Pilot Program in a county, the governing body of the county must approve the establishment of the pilot program by the adoption of a resolution.";

and in line 10, after "establish" insert ", by resolution,".

AMENDMENT NO. 4

On page 4 of the Judicial Proceedings Committee Amendments, in line 9 of Amendment No. 4, after "**(A)**" insert "**(1)**"; in the same line, after "**FOLLOWING**" insert "**VOTING**"; in lines 10, 11, 12, 14, and 16, strike "**(1)**", "**(2)**", "**(3)**", "**(I)**", and "**(II)**", respectively, and substitute "**(I)**", "**(II)**", "**(VI)**", "**1.**", and "**2.**", respectively; and in line 11, after "**DEFENDER**" insert "**;**

          (III)   THE SECRETARY OF BUDGET AND MANAGEMENT;

          (IV)   A MEMBER APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;

          (V)   A MEMBER APPOINTED BY THE CHIEF JUDGE OF THE DISTRICT COURT".

On page 5 of the Judicial Proceedings Committee Amendments, in Amendment No. 4, in lines 1, 3, 5, 7, 9, and 11, strike "**(III)**", "**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", and "**(VIII)**", respectively, and substitute "**3.**", "**4.**", "**5.**", "**6.**", "**7.**", and "**8.**", respectively; after line 12, insert:

          "**(2)   THE COMMISSION CONSISTS OF THE FOLLOWING NONVOTING MEMBERS:**

(I) **ONE MEMBER OF THE SENATE OF MARYLAND,**
APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(II) **ONE MEMBER OF THE HOUSE OF DELEGATES,**
APPOINTED BY THE SPEAKER OF THE HOUSE.";

in line 15, after "**A**" insert "**VOTING**"; and in line 17, after the second "**THE**" insert
"**VOTING**".

On page 6 of the Judicial Proceedings Committee Amendments, in line 1 of
Amendment No. 4, strike "**AND**" and substitute "**, THE**"; in the same line, after
"**DEFENDER**" insert "**, AND THE SECRETARY OF BUDGET AND MANAGEMENT**"; in
lines 8 and 10, in each instance, before "**MEMBER**" insert "**VOTING**"; after line 12,
insert:

"**(D)** **THE NONVOTING MEMBERS OF THE COMMISSION SERVE IN AN**
ADVISORY CAPACITY ONLY.";

and in line 15, after "**ITS**" insert "**VOTING**".

On page 9 of the Judicial Proceedings Committee Amendments, in line 12 of
Amendment No. 4, after "initial" insert "voting"; in line 14, strike "two" and substitute
"three"; and in line 17, strike "three" and substitute "four".