

SB0090/398270/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 90
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike the first comma and substitute “of Disabled Persons and Revocation of”; in lines 2 and 3, strike “, and Surrogates – Disabled Persons and Mental Health Services”; strike beginning with “providing” in line 7 down through “disorder” in line 10 and substitute “authorizing a certain individual to waive certain rights when making an advance directive; making conforming changes”; in line 11, strike the first comma and substitute “and”; strike beginning with the second comma in line 11 down through “making” in line 12; and in line 20, strike “and 5-605(d)”.

AMENDMENT NO. 2

On page 3, in line 23, strike “**SUBJECT TO**” and substitute “**EXCEPT AS PROVIDED IN**”; in line 24, strike “a declarant” and substitute “**THE INDIVIDUAL WHO MADE THE ADVANCE DIRECTIVE**”; strike lines 27 through 30 in their entirety and substitute:

“(2) A COMPETENT INDIVIDUAL, KNOWINGLY AND VOLUNTARILY, MAY ELECT IN AN ADVANCE DIRECTIVE TO WAIVE THE RIGHT UNDER PARAGRAPH (1) OF THIS SUBSECTION TO REVOKE ANY PART OR ALL OF THE ADVANCE DIRECTIVE, INCLUDING THE APPOINTMENT OF AN AGENT, DURING A PERIOD IN WHICH THE INDIVIDUAL HAS BEEN CERTIFIED INCAPABLE OF MAKING AN INFORMED DECISION UNDER § 5-602(E) OF THIS SUBTITLE.”;

in line 31, strike “a declarant” and substitute “**AN INDIVIDUAL**”; in lines 34 and 35, in each instance, strike “declarant” and substitute “**INDIVIDUAL**”; and in line 33, strike “declarant’s” and substitute “**INDIVIDUAL’S**”.

(Over)

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AMENDMENT NO. 3

On page 4, strike in their entirety lines 1 through 4, inclusive.