

SB0192/954536/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 192
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “law;” and substitute “law, except in certain circumstances; authorizing the State Prosecutor to seek injunctive relief in certain circumstances in which the Attorney General is prohibited from seeking injunctive relief under this Act;”; and in line 7, after “election;” insert “requiring a showing of certain evidence before injunctive relief may be granted under this Act;”.

AMENDMENT NO. 2

On page 3, in line 2, strike “**SUBJECT TO SUBSECTION (B) OF THIS SECTION**” and substitute:

“(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION”;

after line 6, insert:

“(2) (I) THIS PARAGRAPH APPLIES IF THE ATTORNEY GENERAL IS A CANDIDATE IN A CONTEST ON THE BALLOT IN AN ELECTION.

(II) THE ATTORNEY GENERAL MAY NOT SEEK INJUNCTIVE RELIEF UNDER PARAGRAPH (1) OF THIS SUBSECTION IF A VIOLATION OF § 16-201 OF THIS TITLE IS COMMITTED BY:

1. THE ATTORNEY GENERAL;

(Over)

2. A PERSON ACTING ON BEHALF OF THE ATTORNEY

GENERAL;

**3. A CANDIDATE WHO IS OPPOSING THE ATTORNEY
GENERAL IN A CONTEST ON THE BALLOT; OR**

**4. A PERSON ACTING ON BEHALF OF A CANDIDATE
WHO IS OPPOSING THE ATTORNEY GENERAL IN A CONTEST ON THE BALLOT.**

**(III) THE STATE PROSECUTOR MAY SEEK INJUNCTIVE
RELIEF IN ACCORDANCE WITH THIS SECTION IN ANY CIRCUMSTANCE IN WHICH
THE ATTORNEY GENERAL IS PROHIBITED FROM SEEKING INJUNCTIVE RELIEF
UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.”;**

in line 7, after “ONLY” insert “;

(1)”;

and in line 9, after “ELECTION” insert “;**AND**

**(2) BASED ON A SHOWING BY CLEAR AND CONVINCING EVIDENCE
THAT A VIOLATION OF § 16-201 OF THIS TITLE IS IMMINENT OR IS BEING
COMMITTED”.**