

SB0881/838470/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 881
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 3 down through “Act;” in line 5; in line 13, strike “or thing of value”; and in line 15, after “Act;” insert “establishing that the lack of knowledge about a victim’s age is not a defense to certain offenses involving a child;”.

On page 2, strike in their entirety lines 6 through 10, inclusive; and in line 13, after “9–801(g)(2),” insert “11–305,”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 34 on page 3 through line 5 on page 4, inclusive.

On page 5, strike beginning with “MEANS” in line 5 down through “DURATION.” in line 12 and substitute “HAS THE MEANING STATED IN 22 U.S.C. § 7102.”; in lines 13, 15, and 24, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 15, strike “(1)”; and strike in their entirety lines 19 through 23, inclusive.

On page 7, in line 9, after “(b)(1)” insert “OR (E)”; in line 13, strike “FOR ANY PERSON”; in line 14, strike “MEANS OF”; in line 15, before “FORCE” insert “WRONGFUL USE OF”; in line 17, before the first “SERIOUS” insert “WRONGFUL USE OF”; in line 19, strike “USE OR”; in line 20, after “PROCEEDING” insert “RELATING TO ANOTHER’S IMMIGRATION STATUS”; in line 21, before “A” insert “USE OF”; in line 24, after “BONDAGE;” insert “OR”; in line 25, strike “THE” and substitute “AN”; in line 28, strike the semicolon and substitute a period; and strike in their entirety lines 29 and 30.

(Over)

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On page 8, strike in their entirety lines 1 and 2; and after line 8, insert:

“(D) (1) A PERSON WHO KNOWINGLY BENEFITS FINANCIALLY BY RECEIVING ANYTHING OF VALUE FROM PARTICIPATION IN A VENTURE THAT INCLUDES AN ACT DESCRIBED IN SUBSECTION (A) OF THIS SECTION IS SUBJECT TO THE SAME PENALTIES THAT WOULD APPLY IF THE PERSON HAD VIOLATED THAT SUBSECTION.

(2) A PERSON WHO KNOWINGLY AIDS, ABETS, OR CONSPIRES WITH ONE OR MORE OTHER PERSONS TO VIOLATE SUBSECTION (A) OF THIS SECTION IS SUBJECT TO THE SAME PENALTIES THAT APPLY FOR A VIOLATION OF THAT SUBSECTION.”.

On page 9, in lines 15 and 16, in each instance, strike the bracket; in line 16, after the semicolon insert “OR”; in line 17, strike “keep, set up,”; in the same line, strike “, maintain, or operate”; and strike beginning with the semicolon in line 18 down through “assignment]” in line 24.

On page 10, after line 5, insert:

“11-305.

(a) For the purpose of committing a crime under Title 3, Subtitle 3 of this article, a person may not:

(1) persuade or entice or aid in the persuasion or enticement of an individual under the age of 16 years from the individual’s home or from the custody of the individual’s parent or guardian; and

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(2) knowingly secrete or harbor or aid in the secreting or harboring of the individual who has been persuaded or enticed in the manner described in item (1) of this subsection.

(b) A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 25 years or a fine not exceeding \$5,000 or both.

(C) IT IS NOT A DEFENSE TO PROSECUTION UNDER THIS SECTION THAT THE PERSON DID NOT KNOW THE AGE OF THE VICTIM.;

and in line 27, strike “OCCUPY,”.

AMENDMENT NO. 3

On page 7, strike beginning with “OR” in line 22 down through “RESTRAINT” in line 23.

AMENDMENT NO. 4

On page 7, in line 2, strike “or”.

AMENDMENT NO. 5

On page 11, in line 15, strike “FELONY SEX TRAFFICKING UNDER § 3-1102(B)” and substitute “HUMAN TRAFFICKING UNDER TITLE 3, SUBTITLE 11”.