

HB0023/322217/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 23
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 2, insert:

“(Maryland Driver Privacy Act)”;

and in line 10, after “circumstances;” insert “prohibiting certain persons from disclosing certain information to a federal agent or a federal agency under certain circumstances;”.

AMENDMENT NO. 2

On page 5, in line 25, after “(2)” insert “**A PERSON RECEIVING PERSONAL INFORMATION UNDER SUBSECTION (D), (E), OR (F) OF THIS SECTION MAY NOT DISCLOSE THE PERSONAL INFORMATION TO A FEDERAL AGENT OR FEDERAL AGENCY FOR THE PURPOSE OF FEDERAL IMMIGRATION ENFORCEMENT UNLESS THE PERSON IS PRESENTED WITH A VALID WARRANT ISSUED BY A FEDERAL COURT OR A COURT OF THIS STATE.**

(3)”.

On page 6, strike beginning with the colon in line 23 down through “ENFORCEMENT” in line 25 and substitute “**ENFORCING FEDERAL IMMIGRATION LAW**”.

On pages 6 and 7, strike beginning with the colon in line 33 on page 6 down through “ENFORCEMENT” in line 1 on page 7 and substitute “**ENFORCING FEDERAL IMMIGRATION LAW**”.

(Over)

On page 7, in lines 5 and 6, strike “ANY STATE OR LOCAL AGENCY THAT RECEIVES A REQUEST FROM A FEDERAL AGENCY” and substitute “THE MOTOR VEHICLE ADMINISTRATION, THE DEPARTMENT OF STATE POLICE, AND THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL, WITH RESPECT TO REQUESTS FROM FEDERAL AGENCIES”; in line 6, strike “CIVIL OR CRIMINAL” and substitute “FEDERAL”; in line 8, strike “SHALL” and substitute “, WHETHER OR NOT THE REQUEST WAS INITIATED THROUGH A STATE OR LOCAL LAW ENFORCEMENT AGENCY,”; in line 19, strike “BY THE STATE OR LOCAL AGENCY”; in line 21, strike “A STATE OR LOCAL AGENCY” and substitute “THE MOTOR VEHICLE ADMINISTRATION, THE DEPARTMENT OF STATE POLICE, OR THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES”; strike beginning with “THE” in line 23 down through “AGENCY” in line 24 and substitute “, RESPECTIVELY, THE MOTOR VEHICLE ADMINISTRATION, THE DEPARTMENT OF STATE POLICE, AND THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES”; in line 27, after “(A)” insert “(1)”; in the same line, strike the comma and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(2);

in the same line, strike the first “DATABASE” and substitute “DATABASE”; after line 29, insert:

“(3) (I) “LAW ENFORCEMENT AGENCY” MEANS A FEDERAL, STATE, OR LOCAL AGENCY AUTHORIZED TO ENFORCE CRIMINAL LAWS.

(II) “LAW ENFORCEMENT AGENCY” INCLUDES THE MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(III) “LAW ENFORCEMENT AGENCY” DOES NOT INCLUDE THE U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY.”;

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and in line 32, after “AGENCY” insert “OR THE MARYLAND JUDICIARY”.

On page 8, in line 6, after “(III)” insert “A STATEMENT ON WHETHER THE INDIVIDUAL IS ACTING ON BEHALF OF THE MARYLAND JUDICIARY OR A LAW ENFORCEMENT AGENCY AND, IF ACTING ON BEHALF OF A LAW ENFORCEMENT AGENCY,”.