

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 301

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “summons;” insert “permitting the form for a citation under this Act to contain a summons if approved by the Chief Judge of the District Court;”; in line 10, after “City;” insert “establishing a procedure for Baltimore City to collect costs for the abatement of certain ordinance violations under certain circumstances; permitting a court to enter judgment for failure to pay a fine or appear in court under certain circumstances;”; and in line 12, after “actions;” insert “providing for the effective date of this Act;”.

AMENDMENT NO. 2

On page 1, in line 23, after “(G)” insert:

“(1) IF APPROVED BY THE CHIEF JUDGE OF THE DISTRICT COURT, THE FORM OF A CITATION UNDER THIS SECTION MAY CONTAIN THE SUMMONS.

(2) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION,”.

AMENDMENT NO. 3

On page 2, strike beginning with “OR” in line 4 down through “CODE” in line 5.

AMENDMENT NO. 4

On page 3, in line 35, after “DEFENDANT” insert “AND IN FAVOR OF THE CITY”.

AMENDMENT NO. 5

On page 4, in line 6, after “PAY” insert “AN AMOUNT NOT TO EXCEED”; in line 7, after “DUE” insert “, INCLUDING ANY DOUBLING OF THE FINE, NOT TO EXCEED THE AMOUNT SPECIFIED IN SUBSECTION (K) OF THIS SECTION”; in line 9, strike “MAYOR AND CITY COUNCIL” and substitute “CITY”; and in line 26, strike “RULE P4” and substitute

(Over)

“RULES 15-205 AND 15-206”.

AMENDMENT NO. 6

On page 4, after line 37, insert:

“(3) ON THE FILING OF A MOTION UNDER THIS SUBSECTION, THE DEFENDANT SHALL BE GIVEN PROPER NOTICE AND AN OPPORTUNITY FOR A HEARING IN ACCORDANCE WITH THE MARYLAND RULES.”.

AMENDMENT NO. 7

On page 5, in line 4, after “NOT” insert “BE”; and in line 7, after “CAUSES” insert “EXCEPT IT SHALL BE THE BURDEN OF THE CITY TO PROVE BY CLEAR AND CONVINCING EVIDENCE THAT THE DEFENDANT HAS COMMITTED A VIOLATION FOR WHICH IMPOSITION OF A CIVIL FINE IS SOUGHT”; after line 19, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That between July 1, 1997 and October 1, 1997, every citation issued under this Act shall be served with notice of the provisions of this Act and reference to the appropriate section(s) of the laws of this State.”;

in line 20, strike “2.” and substitute “3.”; and in line 21, strike “October” and substitute “July”.