

BY: Conference Committee

AMENDMENTS TO HOUSE BILL NO. 1093

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “authorizing” and substitute “requiring”; and strike beginning with “adding” in line 15 down through “parent;” in line 18.

On page 2, in line 14, strike “authorizing” and substitute “requiring”; in line 23, after “give” insert “certain”; in line 24, after “persons” insert “under certain circumstances”; and in line 31, strike “5-322,”.

AMENDMENT NO. 2

On pages 6 and 7, strike in their entirety the lines beginning with line 31 on page 6 down through line 11 on page 7, inclusive, and substitute:

“1. SUBJECTED THE CHILD TO:

A. TORTURE, CHRONIC ABUSE, OR SEXUAL ABUSE; OR

B. CHRONIC AND LIFE-THREATENING NEGLECT;

2. BEEN CONVICTED:

A. IN THIS STATE OF A CRIME OF VIOLENCE, AS DEFINED IN ARTICLE 27, § 643B OF THE CODE, AGAINST THE CHILD, THE OTHER NATURAL PARENT OF THE CHILD, ANOTHER CHILD OF THE NATURAL PARENT, OR ANY PERSON WHO RESIDES IN THE HOUSEHOLD OF THE NATURAL PARENT;

B. IN ANY STATE OR IN ANY COURT OF THE UNITED STATES OF A CRIME THAT WOULD BE A CRIME OF VIOLENCE, AS DEFINED IN

(Over)

ARTICLE 27, § 643B OF THE CODE, IF COMMITTED IN THIS STATE AGAINST THE CHILD, THE OTHER NATURAL PARENT OF THE CHILD, ANOTHER CHILD OF THE NATURAL PARENT, OR ANY PERSON WHO RESIDES IN THE HOUSEHOLD OF THE NATURAL PARENT; OR

C. OF AIDING OR ABETTING, CONSPIRING, OR SOLICITING TO COMMIT A CRIME DESCRIBED IN ITEM A OR ITEM B OF THIS ITEM; OR

3. INVOLUNTARILY LOST PARENTAL RIGHTS OF A SIBLING OF THE CHILD. “.

On page 16, in line 1, after “HAS” insert “BEEN CONVICTED”; and strike in their entirety lines 2 through 12, inclusive, and substitute:

“1. IN THIS STATE OF A CRIME OF VIOLENCE, AS DEFINED IN ARTICLE 27, § 643B OF THE CODE, AGAINST THE CHILD, THE OTHER NATURAL PARENT OF THE CHILD, ANOTHER CHILD OF THE NATURAL PARENT, OR ANY PERSON WHO RESIDES IN THE HOUSEHOLD OF THE NATURAL PARENT;

2. IN ANY STATE OR IN ANY COURT OF THE UNITED STATES OF A CRIME THAT WOULD BE A CRIME OF VIOLENCE , AS DEFINED IN ARTICLE 27, § 643B OF THE CODE, IF COMMITTED IN THIS STATE AGAINST THE CHILD, THE OTHER NATURAL PARENT OF THE CHILD, ANOTHER CHILD OF THE NATURAL PARENT, OR ANY PERSON WHO RESIDES IN THE HOUSEHOLD OF THE NATURAL PARENT; OR

3. OF AIDING OR ABETTING, CONSPIRING, OR SOLICITING TO COMMIT A CRIME DESCRIBED IN ITEM A OR ITEM B OF THIS ITEM.”.

On pages 19 and 20, strike in their entirety the lines beginning with line 32 on page 19 through line 13 on page 20, inclusive, and substitute:

“(1) SUBJECTED THE CHILD TO:

(I) TORTURE, CHRONIC ABUSE, OR SEXUAL ABUSE; OR
(II) CHRONIC AND LIFE-THREATENING NEGLECT;

(2) BEEN CONVICTED:

(I) IN THIS STATE OF A CRIME OF VIOLENCE, AS DEFINED IN ARTICLE 27, § 643B OF THE CODE, AGAINST THE CHILD, THE OTHER NATURAL PARENT OF THE CHILD, ANOTHER CHILD OF THE NATURAL PARENT, OR ANY PERSON WHO RESIDES IN THE HOUSEHOLD OF THE NATURAL PARENT;

(II) IN ANY STATE OR IN ANY COURT OF THE UNITED STATES OF A CRIME THAT WOULD BE A CRIME OF VIOLENCE, AS DEFINED IN ARTICLE 27, § 643B OF THE CODE, IF COMMITTED IN THIS STATE AGAINST THE CHILD, THE OTHER NATURAL PARENT OF THE CHILD, ANOTHER CHILD OF THE NATURAL PARENT, OR ANY PERSON WHO RESIDES IN THE HOUSEHOLD OF THE NATURAL PARENT; OR

(III) OF AIDING OR ABETTING, CONSPIRING, OR SOLICITING TO COMMIT A CRIME DESCRIBED IN ITEM A OR ITEM B OF THIS ITEM; OR

(3) INVOLUNTARILY LOST PARENTAL RIGHTS OF A SIBLING OF A CHILD.”.

AMENDMENT NO. 3

On page 7, in line 16, strike “PARAGRAPH (1)” and substitute “PARAGRAPH (1)(I) THROUGH (IV)”; after line 24, insert:

“(4) THE COURT SHALL WAIVE THE CHILD PLACEMENT AGENCY’S OBLIGATIONS UNDER SUBSECTION (C) OF THIS SECTION IF THE COURT FINDS THAT ONE OF THE CIRCUMSTANCES OR ACTS ENUMERATED IN PARAGRAPH (1)(V) OF THIS SUBSECTION EXISTS.”;

and in line 25, strike “(4)” and substitute “(5)”.

On page 20, in line 21, strike "MAY" and substitute "SHALL".

AMENDMENT NO. 4

On pages 7 through 10, strike in their entirety the lines beginning with line 30 on page 7 through line 16 on page 10, inclusive.

AMENDMENT NO. 5

On page 18, in line 25, strike the brackets; in line 26, strike "OUT-OF-HOME PLACEMENT" and substitute "OR KINSHIP CARE"; and in line 28, strike "OR FAMILY".

On page 19, in line 1, strike "OR FAMILY".

AMENDMENT NO. 6

On page 23, in line 36, after "GIVE" insert "AT LEAST 7 DAYS"; and in the same line, strike "OF" and substitute ", IF PRACTICABLE, BEFORE".