

BY: Conference Committee

AMENDMENTS TO SENATE BILL NO. 68

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 3 down through “exceptions;” in line 4; in line 7, after “purposes;” insert “requiring the juvenile court to report certain juvenile record information to the Criminal Justice Information System Central Repository;”; in line 15, strike “, 3-806;”; and in line 20, after “Section” insert “594A(b) and”.

On page 2, in line 3, after “Section” insert “594A(a).”.

AMENDMENT NO. 2

On page 4, strike beginning with “THE” in line 11 down through “AUTHORIZED” in line 17, and substitute “A CHILD WHO PREVIOUSLY HAS BEEN CONVICTED AS AN ADULT OF A FELONY AND IS SUBSEQUENTLY ALLEGED TO HAVE COMMITTED AN ACT THAT WOULD BE A FELONY IF COMMITTED BY AN ADULT, UNLESS AN ORDER REMOVING THE PROCEEDING TO THE COURT HAS BEEN FILED UNDER ARTICLE 27, § 594A OF THE CODE”.

On pages 4 and 5, strike in their entirety the lines beginning with line 23 on page 4 through line 12 on page 5, inclusive.

On page 5, in line 22, after “AGENCY” insert “OF THE STATE OR OF A POLITICAL SUBDIVISION OF THE STATE”.

On page 6, after line 26, insert:

“594A.

(a) In any case, except as provided in subsection (b), involving a child who has reached

(Over)

14 years of age but has not reached 18 years of age at the time of any alleged offense excluded under the provisions of [§ 3-804(e)(1) or (4)] § 3-804(E)(1), (4), OR (5) of the Courts and Judicial Proceedings Article, the court exercising jurisdiction may transfer the case to the juvenile court if a waiver is believed to be in the interests of the child or society.

(b) The court may not transfer a case to the juvenile court under subsection (a) if:

(1) The child has previously been waived to juvenile court and adjudicated delinquent;

(2) The child was convicted in another unrelated case excluded from the jurisdiction of the juvenile court under § 3-804(e)(1) or (4) of the Courts and Judicial Proceedings Article; or

(3) The alleged offense is murder in the first degree and the accused child is 16 or 17 at the time the alleged offense was committed.”.

AMENDMENT NO. 3

On page 11, in lines 10 and 12, in each instance, strike “TWO” and substitute “THREE”; strike beginning with “IN” in line 16 down through “AREA” in line 17 and substitute “OF A POLITICAL SUBDIVISION OF THE STATE”; strike beginning with “IN” in line 18 down through “AREA” in line 19; in line 24, strike “PERSON FAMILIAR WITH”; and in line 25, after “PROCESSING” insert “EXPERT”.