

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL NO. 44
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "forfeiture" insert "under certain circumstances; clarifying that certain contraband is subject to seizure and disposal without a hearing under certain circumstances; defining a certain term".

AMENDMENT NO. 2

On page 3, after line 14, insert:

“(A) IN THIS SECTION:

(1) “CONTRABAND” MEANS ANY ITEM, MATERIAL, SUBSTANCE, OR OTHER THING OF VALUE THAT:

(I) IS NOT AUTHORIZED FOR INMATE POSSESSION BY THE COMMISSIONER OF CORRECTION, THE DIRECTOR OF PATUXENT INSTITUTION, THE COMMISSIONER OF PRETRIAL DETENTION AND SERVICES, OR THE WARDEN OF A STATE CORRECTIONAL FACILITY; OR

(II) IS BROUGHT INTO A STATE CORRECTIONAL FACILITY IN A MANNER PROHIBITED BY THE COMMISSIONER OF CORRECTION, THE DIRECTOR OF PATUXENT INSTITUTION, THE COMMISSIONER OF PRETRIAL DETENTION AND SERVICES, OR THE WARDEN OF A STATE CORRECTIONAL FACILITY.

(2) “CONTRABAND” INCLUDES ANY OTHER PROPERTY DEFINED IN REGULATIONS BY THE COMMISSIONER OF CORRECTION, THE DIRECTOR OF PATUXENT INSTITUTION, OR THE COMMISSIONER OF PRETRIAL DETENTION AND SERVICES.”;

(Over)

in lines 15 and 31, strike “(A)” and “(B)”, respectively, and substitute “(B)” and “(C)”, respectively; in lines 17, 22, 24, and 25, in each instance, after “THE” insert “STATE”; and in line 21, after the second “THE” insert “STATE”.

AMENDMENT NO. 3

On page 4, in line 9, after the third “THE” insert “STATE”; in lines 10, 13, and 19, after “THE” insert “STATE”; in line 15, strike “(C)” and substitute “(D)”; in lines 24 and 32, strike “(C)” and “(D)”, respectively, and substitute “(D)” and “(E)”, respectively; after line 23, insert:

“(III) A HEARING ON A DISCIPLINARY INFRACTION MAY INCLUDE THE ADJUDICATION OF ANY ISSUE OF FORFEITURE OF CONFISCATED PROPERTY.”;

in line 25, strike “SUBSECTION (A)” and substitute “SUBSECTION (B)”; and in line 37, after “LAW” insert “WITHOUT A HEARING”.