

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 358

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “circumstances;” insert “prohibiting a person from creating a false identification with a certain intent;”; in line 14, after “officers” insert “of the Department of State Police”; in line 15, after “information;” insert “providing statewide jurisdiction for certain law enforcement officers investigating the crime of fraudulent use of personal identifying information under certain circumstances;”; in line 16, strike “or enforcement actions”; strike beginning with “altering” in line 20 down through “include” in line 21 and substitute “establishing that the jurisdiction of the District Court is concurrent with the circuit courts for”.

On page 2, after line 9, insert:

“BY repealing and reenacting, without amendments,

Article - Courts and Judicial Proceedings

Section 4-302(a) and (d)(1)(ii)

Annotated Code of Maryland

(1998 Replacement Volume and 2001 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 33, after “another” insert “OR CREATE A FALSE IDENTITY”; and in line 34, after “avoid” insert “IDENTIFICATION, APPREHENSION, OR”.

AMENDMENT NO. 3

On page 3, in lines 7 and 18, in each instance, strike “15” and substitute “10”; and after line 22, insert:

“(5) WHEN THE VIOLATION OF THIS SECTION IS PURSUANT TO ONE SCHEME OR CONTINUING COURSE OF CONDUCT, WHETHER FROM THE SAME OR

(Over)

SEVERAL SOURCES, THE CONDUCT MAY BE CONSIDERED AS ONE OFFENSE AND THE VALUE OF THE BENEFIT, CREDIT, GOODS, SERVICES, OR OTHER ITEM MAY BE AGGREGATED IN DETERMINING WHETHER THE VIOLATION IS A FELONY OR MISDEMEANOR.”.

AMENDMENT NO. 4

On page 4, in line 6, strike “AND OTHERWISE ENFORCE” and substitute “VIOLATIONS OF”; after line 13, insert:

“(4) THE AUTHORITY GRANTED IN PARAGRAPH (1) OF THIS SUBSECTION MAY BE EXERCISED ONLY IF AN ACT RELATED TO THE CRIME WAS COMMITTED IN THE INVESTIGATING LAW ENFORCEMENT AGENCY’S JURISDICTION OR IF THE COMPLAINING WITNESS RESIDES IN THE INVESTIGATING LAW ENFORCEMENT AGENCY’S JURISDICTION.”;

in line 15, strike “(H) OR”; and in lines 15 and 16, strike “OR ENFORCEMENT ACTION”.

AMENDMENT NO. 5

On page 5, in line 7, after “ARTICLE” insert “, WHETHER A FELONY OR MISDEMEANOR”; and after line 7, insert:

“4-302.

(a) Except as provided in § 4-301(b)(2), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), and (16) of this subtitle, the District Court does not have jurisdiction to try a criminal case charging the commission of a felony.

(d) (1) Except as provided in paragraph (2) of this subsection, the jurisdiction of the District Court is concurrent with that of the circuit court in a criminal case:

(ii) Which is a felony, as provided in § 4-301(b)(2), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), and (16) of this subtitle.”.