

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 634

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “those” and substitute “certain”; in line 12, after “orders;” insert “prohibiting a person from knowingly violating certain restrictions on movement, failing to return to certain places of confinement under certain conditions, and certain tampering with certain monitoring devices;”; after line 15, insert:

“BY repealing and reenacting, without amendments,

Article - Criminal Law

Section 9-410(a)

Annotated Code of Maryland

(2002 Volume and 2003 Supplement)”;

and in line 18, strike “and 9-405” and substitute “9-405, and 9-410(f)”.

AMENDMENT NO. 2

On page 1, in line 25, after “(f)” insert “(1)”; in line 26, strike “(1)” and substitute “(I)”; and in line 27, strike “(2)” and substitute “(II)”.

On page 2, in line 5, strike “(3)” and substitute “(III)”; in the same line, strike “EXCEPT AS PROVIDED IN § 9-405 OF THIS SUBTITLE,”; after line 6, insert:

“(2) “PLACE OF CONFINEMENT” DOES NOT INCLUDE:

(I) A DETENTION CENTER FOR JUVENILES;

(II) A FACILITY FOR JUVENILES LISTED IN ARTICLE 83C, § 2-117(A)(2) OF THE CODE; OR

(Over)

(III) A PLACE IDENTIFIED IN A JUVENILE COMMUNITY DETENTION ORDER.”;

strike in their entirety lines 9 through 11, inclusive; and after line 11, insert:

“(b) A person may not:

(1) escape from:

(I) a detention center for juveniles [or];

(II) a facility for juveniles listed in Article 83C, § 2-117(a)(2) of the Code;

OR

(III) A PLACE IDENTIFIED IN A JUVENILE COMMUNITY DETENTION ORDER; and

(2) in the course of the escape commit an assault.”.

On page 3, in line 33, strike the second “OR”.

On page 4, in line 3, strike the period and substitute “; OR

(III) REMOVE, BLOCK, DEACTIVATE, OR OTHERWISE TAMPER WITH A MONITORING DEVICE REQUIRED TO BE WORN OR CARRIED BY THE PERSON TO TRACK THE PERSON’S LOCATION, INCLUDING AN ANKLE OR WRIST BRACELET, GLOBAL POSITION SATELLITE OFFENDER TRACKING TECHNOLOGY, OR COMPARABLE EQUIPMENT OR SYSTEM.”;

and after line 6, insert:

“9-410.

(a) In this part the following words have the meanings indicated.

(f) (1) “Place of confinement” [has the meaning stated in § 9-401 of this subtitle]

MEANS:

- (I) A CORRECTIONAL FACILITY;
  - (II) A FACILITY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;
  - (III) A DETENTION CENTER FOR JUVENILES;
  - (IV) A FACILITY FOR JUVENILES LISTED IN ARTICLE 83C, § 2-117(A)(2) OF THE CODE;
  - (V) A PLACE IDENTIFIED IN A JUVENILE COMMUNITY DETENTION ORDER; OR
  - (VI) ANY OTHER FACILITY IN WHICH A PERSON IS CONFINED UNDER COLOR OF LAW.
- (2) “Place of confinement” does not include a place identified in a home detention order or agreement.”.