

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL NO. 634

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike "certain" and substitute "those"; in line 11, after the second "confinement," insert "location tracking systems,"; strike beginning with "prohibiting" in line 12 down through "devices;" in line 15; and strike in their entirety lines 19 through 23, inclusive.

AMENDMENT NO. 2

On page 2, in line 2, strike "9-405,"; in the same line, strike "9-410(f)" and substitute "9-405"; in line 9, strike "(1)"; in lines 10, 11, and 16, strike "(I)", "(II)", and "(III)", respectively, and substitute "(1)", "(2)", and "(3) EXCEPT AS PROVIDED IN § 9-405 OF THIS SUBTITLE,", respectively; and strike in their entirety lines 18 through 23, inclusive.

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 through line 6 on page 3, inclusive, and substitute:

"(b)

A person may not escape from a detention center for juveniles or a facility for juveniles listed in Article 83C, § 2-117(a)(2) of the Code and in the course of the escape commit an assault."

AMENDMENT NO. 3

On page 3, in line 22, strike "(1)"; and in line 24, strike "(2)" and substitute "(B)".

On pages 3 and 4, strike in their entirety the lines beginning with line 26 on page 3 through line 35 on page 4, inclusive, and substitute:

"(C)

A PERSON MAY NOT KNOWINGLY ESCAPE FROM A DETENTION CENTER FOR JUVENILES OR A FACILITY FOR JUVENILES LISTED IN ARTICLE 83C, § 2-117(A)(2)

(Over)

OF THE CODE.

(D)

A PERSON WHO HAS BEEN COMMITTED TO HOME OR COMMUNITY DETENTION MAY NOT KNOWINGLY:

(1)

VIOLATE ANY RESTRICTION ON MOVEMENT IMPOSED UNDER THE TERMS OF THE HOME OR COMMUNITY DETENTION ORDER OR AGREEMENT; OR

(2)

DEPART FROM OR FAIL TO RETURN TO CONFINEMENT IN VIOLATION OF THE TERMS OF THE HOME OR COMMUNITY DETENTION ORDER OR AGREEMENT.

(E)

A PERSON WHO HAS BEEN ORDERED BY A COURT TO SERVE A TERM OF CUSTODIAL CONFINEMENT AS DEFINED IN § 6-219 OF THE CRIMINAL PROCEDURE ARTICLE AS A CONDITION OF A SUSPENDED SENTENCE OR PROBATION BEFORE OR AFTER JUDGMENT MAY NOT KNOWINGLY:

(1)

VIOLATE ANY RESTRICTION ON MOVEMENT IMPOSED UNDER THE TERMS OF THE CUSTODIAL CONFINEMENT ORDER OR AGREEMENT; OR

(2)

DEPART FROM OR FAIL TO RETURN TO CONFINEMENT IN VIOLATION OF THE TERMS OF THE CUSTODIAL CONFINEMENT ORDER OR AGREEMENT.

(F)

A PERSON WHO HAS BEEN TEMPORARILY RELEASED FROM A PLACE OF CONFINEMENT UNDER THE TERMS OF A TEMPORARY RELEASE ORDER OR AGREEMENT MAY NOT KNOWINGLY:

(1)

VIOLATE ANY RESTRICTION ON MOVEMENT IMPOSED UNDER THE TERMS OF THE TEMPORARY RELEASE ORDER OR AGREEMENT; OR

(2)

DEPART FROM OR FAIL TO RETURN TO A PLACE OF CONFINEMENT IN VIOLATION OF THE TERMS OF THE TEMPORARY RELEASE ORDER OR AGREEMENT.

(G)

A PERSON MAY NOT KNOWINGLY ESCAPE FROM CONFINEMENT IMPOSED UNDER COLOR OF LAW THROUGH A RESTRICTION ON THE PERSON'S MOVEMENT BY REMOVING, BLOCKING, DEACTIVATING, OR OTHERWISE TAMPERING WITH A MONITORING DEVICE, INCLUDING:

(1) AN ANKLE OR WRIST BRACELET;

(2)

A GLOBAL POSITION SATELLITE OFFENDER TRACKING TECHNOLOGY SYSTEM; OR

(3)

ANY COMPARABLE EQUIPMENT OR SYSTEM THAT TRACKS THE PERSON'S LOCATION WHEN WORN ON THE PERSON'S BODY OR CARRIED BY THE PERSON."

AMENDMENT NO. 4

On page 5, in line 1, strike "(C)" and substitute "(H)"; and strike in their entirety lines 4 through 19, inclusive.