

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL NO. 295

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 11, after “circumstances;” insert “requiring the Department to provide to the Governor and the General Assembly a certain report by a certain date; making this Act subject to a certain contingency;”.

AMENDMENT NO. 2

On page 7, after line 22, insert:

“(D) NOTWITHSTANDING SUBSECTIONS (A) AND (B) OF THIS SECTION, A COURT MAY NOT STAY THE ENTERING OF JUDGMENT AND PLACE A DEFENDANT ON PROBATION FOR A VIOLATION OF § 21-902 OF THE TRANSPORTATION ARTICLE IF WITHIN THE PRECEDING 10 YEARS THE DEFENDANT:

(1) HAS BEEN CONVICTED UNDER § 21-902 OF THE TRANSPORTATION ARTICLE; OR

(2) HAS BEEN PLACED ON PROBATION IN ACCORDANCE WITH THIS SECTION AFTER BEING CHARGED WITH A VIOLATION OF § 21-902 OF THE TRANSPORTATION ARTICLE.”.

AMENDMENT NO. 3

On page 27, in line 19, strike “AT LEAST ONE SUBSTANCE ABUSE TREATMENT PROVIDER” and substitute “TWO SUBSTANCE ABUSE PROVIDERS, AT LEAST ONE OF WHOM HAS EXPERIENCE WITH SERVICES TO INDIVIDUALS WITH CO-OCCURRING SUBSTANCE ABUSE AND MENTAL HEALTH DISORDERS”.

(Over)

AMENDMENT NO. 4

On page 29, after line 35, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene shall provide to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly, a report on the implementation and status of this Act, including any costs or savings to the State as a result of the implementation of this Act, on or before December 31, 2005.

SECTION 5. AND BE IT FURTHER ENACTED, That, unless an appropriation of at least \$3,000,000 is dedicated in the fiscal year 2005 State budget as enacted by the General Assembly to specifically carry out the provisions of this Act, this Act, with no further action required by the General Assembly, shall be null and void and of no force and effect.”.

On page 29, in line 36, strike “4.” and substitute “6.”; and in the same line, after “That” insert “, subject to the provisions of Section 5 of this Act.”.

On page 30, in line 1, strike “5.” and substitute “7.”; in the same line, after “That,” insert “subject to the provisions of Section 5 of this Act and”; and in line 2, strike “4” and substitute “6”.