

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL NO. 5

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “certain” in line 5 down through “Auditor” in line 9 and substitute “a certain alleged default by an officer or employee who is subject to audit or review to the Attorney General and a certain State’s Attorney”; in line 9, strike “authorizing” and substitute “requiring”; and in lines 10 and 12, in each instance, after “General” insert “and the State’s Attorney”.

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 7 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 10, after “Section” insert “2-1225 and”; in line 16, strike the opening bracket; and strike beginning with “The” in line 25 down through “review” in line 27 and substitute “IF THE LEGISLATIVE AUDITOR DISCOVERS ANY ALLEGED CRIMINAL VIOLATION BY A PERSON DURING THE COURSE OF AN AUDIT, REVIEW, OR INVESTIGATION, THE LEGISLATIVE AUDITOR SHALL REPORT THE ALLEGED VIOLATION TO THE ATTORNEY GENERAL AND AN APPROPRIATE STATE’S ATTORNEY”; after line 29, insert:

“(3) UNLESS THE ATTORNEY GENERAL OR STATE’S ATTORNEY DECIDES TO PROSECUTE AN ALLEGED CRIMINAL VIOLATION REPORTED UNDER THIS SUBSECTION, THE ATTORNEY GENERAL AND STATE’S ATTORNEY SHALL KEEP THE REPORT OF THE LEGISLATIVE AUDITOR UNDER THIS SUBSECTION CONFIDENTIAL.

“(4) THE ATTORNEY GENERAL MAY INVESTIGATE AND PROSECUTE ANY ALLEGED CRIMINAL VIOLATION REPORTED UNDER THIS SUBSECTION AND HAS ALL THE POWERS AND DUTIES OF A STATE’S ATTORNEY, INCLUDING THE USE OF A

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GRAND JURY IN ANY COUNTY OR BALTIMORE CITY, TO INVESTIGATE AND PROSECUTE THE ALLEGED VIOLATION.”.

AMENDMENT NO. 3

On page 3, in line 5, strike the closing bracket; and strike in their entirety lines 6 through 19, inclusive.