

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 49

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the semicolon insert “excluding escape from certain juvenile facilities or detention from the crime of escape in the first degree; altering certain definitions;”; in line 7, strike “(f)” and substitute “9-410(a)”; in line 12, after “Section” insert “9-401(f), 9-404(b),”; and in the same line, after “9-405(a)” insert “, and 9-410(f)”.

AMENDMENT NO. 2

On page 1, in line 20, after “(f)” insert “(1)”; in lines 21, 22, and 23, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; and in line 23, after the semicolon insert “OR”.

On page 2, strike in their entirety lines 1 through 3, inclusive; in line 4, strike “(6)” and substitute “(IV)”; after line 4, 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

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

9-404.

(b) A person may not:

(Over)

(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.”;

in line 19, strike “or” and substitute “;

(II)”;

in line 21, strike “(ii)” and substitute “(III)”; and after line 22, 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."