

BY: Senator Grosfeld

AMENDMENTS TO SENATE BILL NO. 349

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “defendant;” insert “requiring a certain person who commits certain offenses against an unborn child relating to murder, manslaughter, homicide, assault, reckless endangerment, life-threatening injury by motor vehicle or vessel, and poisoning to be included in a certain registration of offenders;”.

On page 2, after line 3, insert:

“BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 11-701(d)

Annotated Code of Maryland

(2001 Volume and 2003 Supplement)”

BY repealing and reenacting, without amendments,

Article - Criminal Procedure

Section 11-704

Annotated Code of Maryland

(2001 Volume and 2003 Supplement)”.

AMENDMENT NO. 2

On page 4, after line 3, insert:

“Article - Criminal Procedure

11-701.

(Over)

(d) “Offender” means a person who is ordered by a court to register under this subtitle and who:

(1) has been convicted of violating § 3-503 of the Criminal Law Article;

(2) has been convicted of violating § 3-502 of the Criminal Law Article or the fourth degree sexual offense statute under § 3-308 of the Criminal Law Article, if the victim is under the age of 18 years;

(3) has been convicted of the common law crime of false imprisonment, if the victim is under the age of 18 years and the person is not the victim’s parent;

(4) has been convicted of a crime that involves soliciting a person under the age of 18 years to engage in sexual conduct;

(5) has been convicted of violating the child pornography statute under § 11-207 of the Criminal Law Article;

(6) has been convicted of violating any of the prostitution and related crimes statutes under Title 11, Subtitle 3 of the Criminal Law Article if the intended prostitute or victim is under the age of 18 years;

(7) has been convicted of a crime that involves conduct that by its nature is a sexual offense against a person under the age of 18 years;

(8) HAS BEEN CONVICTED OF A VIOLATION OF TITLE 2 OF THE CRIMINAL LAW ARTICLE OR A VIOLATION OF TITLE 3, SUBTITLE 2 OF THE CRIMINAL LAW ARTICLE, IF THE VICTIM IS AN UNBORN CHILD AS DEFINED IN § 2-101(D) OF THE CRIMINAL LAW ARTICLE;

[ (8) ] (9) has been convicted of an attempt to commit a crime listed in items (1) through [(7)](8) of this subsection; or

[ (9) ] (10) has been convicted in another state or in a federal, military, or Native American tribal court of a crime that, if committed in this State, would constitute one of the crimes

listed in items (1) through [(8)] (9) of this subsection.  
11-704.

(a) A person shall register with the person's supervising authority if the person is:

(1) a child sexual offender;

(2) an offender;

(3) a sexually violent offender;

(4) a sexually violent predator;

(5) a child sexual offender who, before moving into this State, was required to register in another state or by a federal, military, or Native American tribal court for a crime that occurred before October 1, 1995;

(6) an offender, sexually violent offender, or sexually violent predator who, before moving into this State, was required to register in another state or by a federal, military, or Native American tribal court for a crime that occurred before July 1, 1997; or

(7) a child sexual offender, offender, sexually violent offender, or sexually violent predator who is required to register in another state, who is not a resident of this State, and who enters this State:

(i) to carry on employment; or

(ii) to attend a public or private educational institution, including a secondary school, trade or professional institution, or institution of higher education, as a full-time or part-time student.

(b) Notwithstanding any other provision of law, a person is no longer subject to registration under this subtitle if:

(Over)

aside; or

(1) the underlying conviction requiring registration is reversed, vacated, or set

(2) the registrant is pardoned for the underlying conviction.”.