

BY: Delegate Eckardt

AMENDMENTS TO HOUSE BILL NO. 802, AS AMENDED  
(First Reading File Bill)

AMENDMENT NO. 1

Strike the House Judiciary Committee Amendments (HB0802/342516/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, in line 2, after “Competency” insert “- Task Force to Study and Develop Juvenile Competency Evaluation Standards”; and strike beginning with “requiring” in line 3 down through “proceedings.” in line 29 and substitute “establishing a Task Force to Study and Develop Juvenile Competency Evaluation Standards; providing for the membership of the Task Force; providing for the selection of the chair of the Task Force; providing that the members of the Task Force may not receive compensation but are entitled to a certain reimbursement; establishing the duties of the Task Force; requiring the Task Force to submit a certain report by a certain date; providing for the termination of; and generally relating to the Task Force to Study and Develop Juvenile Competency Evaluation Standards.”.

On pages 1 and 2 of the bill, strike in their entirety the lines beginning with line 30 on page 1 through line 5 on page 2, inclusive.

AMENDMENT NO. 3

On page 2 of the bill, in line 7, strike “the Laws of Maryland read as follows”.

On pages 2 through 10 of the bill, strike in their entirety the lines beginning with line 8 on page 2 through line 18 on page 10, inclusive, and substitute:

“(a) There is a Task Force to Study and Develop Juvenile Competency Evaluation Standards.

(b) The Task Force consists of the following members:

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(1) one member of the Senate Judicial Proceedings Committee, appointed by the President of the Senate;

(2) one member of the Senate Finance Committee, appointed by the President of the Senate;

(3) one member of the House Judiciary Committee, appointed by the Speaker of the House;

(4) one member of the House Health and Government Operations Committee, appointed by the Speaker of the House;

(5) the Chief Judge of the Court of Appeals, or the Chief Judge's designee;

(6) one representative of the Office of Public Defender, appointed by that office;

(7) one representative of the State's Attorney's Office, appointed by that office;

and

(9) the following members, appointed by the Governor:

(i) one representative of the Department of Health and Mental Hygiene;

(ii) one representative of the State Department of Education;

(iii) one representative of the Department of Juvenile Services;

(iv) one representative of the Department of Human Resources;

(v) one representative of the Department of Disabilities;

(vi) one representative of the Governor's Office of Children, Youth, and

Families; and

(vii) two children's advocates or parents of children with special needs.

(c) The representative from the Department of Health and Mental Hygiene shall chair the

Task Force.

- (d) A member of the Task Force:
  - (1) may not receive compensation; but
  - (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations as provided in the State budget.
- (e) The Task Force shall meet at the times and places that the chair determines.
- (f) The Task Force shall:
  - (1) examine why local jurisdictions are not accessing current evaluations and treatment services where available;
  - (2) study whether and in what manner the State should revise laws relating to juveniles incompetent to stand adjudication;
  - (2) study the juvenile competency models of other jurisdictions;
  - (3) determine if changes are necessary to State and local procedures; and
  - (4) prepare a report summarizing the Task Force's findings and recommendations.
- (g) The Task Force shall submit a final report of its findings and recommendations to the Governor and, subject to § 2-1246 of the State Government Article, the General Assembly on or before December 31, 2005.
- (h) The Department of Health and Mental Hygiene shall provide staff to the Task Force.”.

On page 10 of the bill, strike line 20 in its entirety and substitute “June 1, 2005. It shall remain effective for a period of 1 year and, at the end of May 31, 2006, with no further action”

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required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.