

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 752

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Frosh” and substitute “Senators Frosh and Green”.

AMENDMENT NO. 2

On page 1, strike beginning with “altering” in line 4 down through “circumstances;” in line 11; in line 11, strike “dismiss” and substitute “reconsider”; strike line 12 in its entirety and substitute “circumstances, a certain determination after receiving a certain report from the Health Department;”; strike beginning with “authorizing” in line 14 down through “periods;” in line 18; strike beginning with “requiring” in line 19 down through “persons;” in line 22; and in line 26, strike “through” and substitute “and”.

AMENDMENT NO. 3

On page 2, in line 10, strike the bracket; in line 11, after “that” insert “;

(I)”;

in the same line, strike “or” and substitute “;

(II) THE DEFENDANT”;

strike beginning with the closing bracket in line 13 down through “OFFENSE” in line 17 and substitute”; OR

(III) THERE IS NOT A SUBSTANTIAL LIKELIHOOD THAT THE DEFENDANT WILL BECOME COMPETENT TO STAND TRIAL IN THE FORESEEABLE FUTURE”;

(Over)

in line 21, strike the bracket; strike beginning with “and” in line 21 down through “be” in line 23 and substitute “, ON RECEIPT OF A REPORT FROM THE HEALTH DEPARTMENT REQUIRED UNDER § 3-108 OF THIS SUBTITLE”; in line 23, strike “may” and substitute “SHALL”; and strike beginning with “is” in line 23 down through “trial” in line 24 and substitute “CONTINUES TO MEET THE CRITERIA FOR COMMITMENT SET FORTH IN SUBSECTION (B) OF THIS SECTION”.

On pages 2 and 3, strike beginning with the closing bracket in line 28 on page 2 down through “ARTICLE.” in line 31 on page 3.

On page 3, in lines 32 and 35, in each instance, strike the brackets; and in lines 32 and 35, strike “(E)” and “(F)”, respectively.

AMENDMENT NO. 4

On page 4, strike in their entirety lines 1 through 17, inclusive; in line 19, strike the bracket; in line 20, strike “annually”; strike beginning with the closing bracket in line 21 down through “TITLE” in line 23 and substitute “;

(I) EVERY 6 MONTHS FROM THE DATE OF COMMITMENT; AND

(II) WHENEVER THE HEALTH DEPARTMENT DETERMINES THAT THE DEFENDANT IS NOT SUBSTANTIALLY LIKELY TO BECOME COMPETENT TO STAND TRIAL IN THE FORESEEABLE FUTURE”;

in line 30, after “IS” insert “SUBSTANTIALLY LIKELY TO BECOME”; in the same line, after “TRIAL” insert “IN THE FORESEEABLE FUTURE”; and in the same line, after the semicolon insert “AND”.

On pages 4 and 5, strike beginning with “INCOMPETENT” in line 31 on page 4 down through “REMAINS” in line 1 on page 5.

On page 5, strike beginning with the first “THE” in line 4 down through “(C)” in line 12; in lines 17, 19, 20, and 25, in each instance, strike the bracket; in lines 17 and 25, strike “(D)” and “(E)”, respectively; and in line 20, strike “IN THE REPORT”.

AMENDMENT NO. 5

On pages 5 and 6, strike in their entirety the lines beginning with line 28 on page 5 through line 3 on page 6, inclusive.