

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 1572  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Simmons” and substitute “Simmons, Shank, Kelly, McComas, McMillan, and O’Donnell”; and strike lines 2 and 3 in their entirety and substitute “Sexual Offenders - Evaluation Before Sentencing”.

On pages 1 and 2, strike beginning with “altering” in line 4 on page 1 down through “predators.” in line 6 on page 2 and substitute “requiring a court, unless there is a certain waiver, before sentencing a certain defendant, to order that the defendant submit to a presentence investigation conducted by the Division of Parole and Probation and a mental health evaluation conducted by a certain individual employed or engaged by the Department of Health and Mental Hygiene; requiring a court to consider the presentence investigation and mental health evaluation when sentencing the defendant; and generally relating to evaluation and sentencing of sexual offenders.”.

AMENDMENT NO. 2

On page 2, in line 7, strike “repealing and reenacting, without amendments,” and substitute “adding to”; in line 9, strike “11-701(a)” and substitute “11-722”; and strike in their entirety lines 12 through 32, inclusive.

AMENDMENT NO. 3

On pages 3 through 9, strike in their entirety the lines beginning with line 2 on page 3 through line 13 on page 9, inclusive, and substitute:

“11-722.”

(A) UNLESS WAIVED BY THE STATE’S ATTORNEY AND DEFENSE COUNSEL, BEFORE SENTENCING A DEFENDANT WHO HAS BEEN CONVICTED OF A CRIME FOR

(Over)

WHICH THE DEFENDANT IS REQUIRED TO REGISTER UNDER § 11-704 OF THIS SUBTITLE, THE COURT SHALL ORDER THE DEFENDANT TO SUBMIT TO:

(1) A PRESENTENCE INVESTIGATION CONDUCTED BY THE DIVISION OF PAROLE AND PROBATION; AND

(2) A MENTAL HEALTH ASSESSMENT, INCLUDING WHETHER THE DEFENDANT IS A DANGER TO SELF OR OTHERS, CONDUCTED BY A QUALIFIED MENTAL HEALTH PROFESSIONAL EMPLOYED OR ENGAGED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(B) THE COURT SHALL CONSIDER THE PRESENTENCE INVESTIGATION AND MENTAL HEALTH EVALUATION WHEN SENTENCING THE DEFENDANT.”.