

HB0713/822916/2

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 713

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Lee,” insert “Levi”; in the same line, after “Rice,” insert “Rosenberg”; in the same line, after “Schuler,” insert “Shank, Smigiel”; in line 4, strike “or have engaged in”; in line 5, after “from” insert “knowingly and”; strike beginning with “promoting” in line 5 down through “a” in line 6 and substitute “directing or participating in a certain”; and in line 7, after “gang;” insert “prohibiting a person from committing a violation of this Act involving the commission of an offense that results in the death of the victim;”.

On page 2, in line 2, strike “with the consent” and substitute “at the request”; and in line 7, strike “a certain term” and substitute “certain terms”.

AMENDMENT NO. 2

On page 2, in line 26, strike “**OTHER FORMAL OR INFORMAL**” and substitute “ONGOING”; in line 28, strike “**INDIVIDUALLY OR**”; in line 31, strike “**CRIMINAL ACTIVITIES**” and substitute “UNDERLYING CRIMES”; and in line 32, after “be” insert “UNDERLYING”.

AMENDMENT NO. 3

On page 3, in line 7, strike “**OF THE FOLLOWING**” and substitute “UNDERLYING”; in line 8, strike “**A**” and substitute “AN UNDERLYING”; in line 9, strike the colon and substitute a period; strike in their entirety lines 10 through 16, inclusive; after line 17, insert:

“(F) “UNDERLYING CRIME” MEANS:

(Over)

(1) A CRIME OF VIOLENCE AS DEFINED UNDER § 14-101 OF THIS ARTICLE;

(2) A FELONY VIOLATION OF §§ 3-203, 3-701, 4-503, 5-602, 6-103, 6-109, 6-202, 6-203, 6-204, 7-104, 7-105, 9-302, 9-303, OR 9-305 OF THIS ARTICLE; OR

(3) A FELONY VIOLATION OF § 5-133 OF THE PUBLIC SAFETY ARTICLE.”;

in line 21, strike “OR HAVE ENGAGED IN A” and substitute “AN ONGOING”; strike beginning with “WILLFULLY” in line 23 down through “OFFENSE” in line 24 and substitute “KNOWINGLY AND WILLFULLY DIRECT OR PARTICIPATE IN THE COMMISSION OF AN UNDERLYING CRIME, OR ACT BY A JUVENILE THAT WOULD BE AN UNDERLYING CRIME IF COMMITTED BY AN ADULT,”; after line 25, insert:

“(B) A PERSON MAY NOT COMMIT A VIOLATION OF SUBSECTION (A) OF THIS SECTION INVOLVING THE COMMISSION OF AN UNDERLYING CRIME THAT RESULTS IN THE DEATH OF A VICTIM.”;

in line 26, strike “(B)” and substitute “(C)”; in the same line, after “(1)” insert “(I)”; in the same line, strike “A” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A”; in line 28, strike “30” and substitute “10”; and after line 28, insert:

“(II) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS OR A FINE NOT EXCEEDING \$100,000 OR BOTH.”.

AMENDMENT NO. 4

On page 4, in lines 5, 8, and 25, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 5, strike “ONLY”; in line 6, after “SECTION” insert “ONLY”; and in line 8, strike “WITH THE CONSENT” and substitute “AT THE REQUEST”.