

**SB0214/512017/1**

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 214  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Crimes” and substitute “Criminal Law”; in the same line, after “Possession” insert “of Contraband”; strike beginning with “in” in line 5 down through “confinement.” in line 14 and substitute “in a place of confinement; prohibiting a person detained or confined in a place of confinement from knowingly possessing a weapon or contraband to effect an escape; prohibiting a person detained or confined in a place of confinement from knowingly possessing or receiving an alcoholic beverage or controlled dangerous substance; prohibiting a person from delivering a certain telecommunication device to a person detained or confined in a place of confinement, possessing a certain telecommunication device with the intent to deliver it to a person detained or confined in a place of confinement, or depositing or concealing a certain telecommunication device in a certain manner with a certain intent; prohibiting a person detained or confined in a place of confinement from knowingly possessing or receiving a certain telecommunication device; establishing certain criminal penalties; defining a certain term; and generally relating to possession, receiving, or delivering of contraband and other prohibited items in a place of confinement.”; and strike in their entirety lines 15 through 19, inclusive, and substitute:

“BY renumbering

Article – Criminal Law

Section 9–417

to be Section 9–418

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)”.

(Over)

AMENDMENT NO. 2

On page 2, in line 4, strike “(g)”; in the same line, strike “9–416, and 9–417” and substitute “and 9–416”; in line 9, strike “9–410(g) and”; in line 13, after “That” insert “Section(s) 9–417 of Article – Criminal Law of the Annotated Code of Maryland be renumbered to be Section(s) 9–418.”

SECTION 2. AND BE IT FURTHER ENACTED, That”;

strike in their entirety lines 15 and 16; after line 18, insert:

“(b) “Alcoholic beverage” means beer, wine, or distilled spirits.”;

and after line 22, insert:

“(d) “Controlled dangerous substance” has the meaning stated in § 5–101 of this article.”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 21 through 24, inclusive.

On page 4, in line 5, strike “**WITHOUT AUTHORIZATION BY THE MANAGING OFFICIAL**,”; in line 20, after “not” insert “**KNOWINGLY POSSESS OR**”; and in line 21, strike “**OR KNOWINGLY POSSESS**”.

On page 5, in line 4, after “not” insert “**KNOWINGLY POSSESS OR**”; in line 5, strike “**OR KNOWINGLY POSSESS**”; and in line 17, strike “**RECEIVE OR KNOWINGLY POSSESS**” and substitute “**KNOWINGLY POSSESS OR RECEIVE**”.

On page 6, in line 2, strike “**RECEIVE OR KNOWINGLY POSSESS**” and substitute “**KNOWINGLY POSSESS OR RECEIVE**”; and strike in their entirety lines 8 through 22, inclusive, and substitute:

“(A) (1) A PERSON MAY NOT DELIVER A TELECOMMUNICATION DEVICE TO A PERSON DETAINED OR CONFINED IN A PLACE OF CONFINEMENT.”

(2) A PERSON MAY NOT POSSESS A TELECOMMUNICATION DEVICE WITH THE INTENT TO DELIVER IT TO A PERSON DETAINED OR CONFINED IN A PLACE OF CONFINEMENT.

(3) A PERSON MAY NOT DEPOSIT OR CONCEAL A TELECOMMUNICATION DEVICE IN OR ABOUT A PLACE OF CONFINEMENT OR ON ANY LAND APPURTENANT TO THE PLACE OF CONFINEMENT WITH THE INTENT THAT IT BE OBTAINED BY A PERSON DETAINED OR CONFINED IN THE PLACE OF CONFINEMENT.

(4) A PERSON DETAINED OR CONFINED IN A PLACE OF CONFINEMENT MAY NOT KNOWINGLY POSSESS OR RECEIVE A TELECOMMUNICATION DEVICE.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.”

On page 6, in line 23, strike “2.” and substitute “3.”.