

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 60
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Smigiel” and substitute “Delegates Smigiel, Ramirez, Vallario, Barnes, Levi, and Walker”; in line 2, after “Violation” insert “by Child Sexual Offender”; in line 3, strike “- Expedited Hearing”; strike beginning with “an” in line 4 down through “circumstances;” in line 11 and substitute “a police officer to arrest a person without a warrant if the police officer has probable cause to believe that the person has violated a condition of pretrial or posttrial release; prohibiting a person charged with committing a certain sexual crime against a victim who is a minor from violating a certain condition of pretrial or posttrial release; establishing a penalty for a violation of certain conditions of pretrial or posttrial release;”; in line 13, strike “without” and substitute “with”; and in line 15, strike “5-201(a) and 5-213” and substitute “2-203”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 1 on page 2 through line 2 on page 3, inclusive, and substitute:

“2-203.

(a) A police officer without a warrant may arrest a person if the police officer has probable cause to believe:

(1) that the person has committed a crime listed in subsection (b) of this section; and

(2) that unless the person is arrested immediately, the person:

(i) may not be apprehended;

(Over)

(ii) may cause physical injury or property damage to another; or

(iii) may tamper with, dispose of, or destroy evidence.

(b) The crimes referred to in subsection (a)(1) of this section are:

(1) manslaughter by vehicle or vessel under § 2–209 of the Criminal Law Article;

(2) malicious burning under § 6–104 or § 6–105 of the Criminal Law Article or an attempt to commit the crime;

(3) malicious mischief under § 6–301 of the Criminal Law Article or an attempt to commit the crime;

(4) a theft crime where the value of the property or services stolen is less than \$500 under § 7–104 or § 7–105 of the Criminal Law Article or an attempt to commit the crime;

(5) the crime of giving or causing to be given a false alarm of fire under § 9–604 of the Criminal Law Article;

(6) indecent exposure under § 11–107 of the Criminal Law Article;

(7) a crime that relates to controlled dangerous substances under Title 5 of the Criminal Law Article or an attempt to commit the crime;

(8) the wearing, carrying, or transporting of a handgun under § 4–203 or § 4–204 of the Criminal Law Article;

(9) carrying or wearing a concealed weapon under § 4-101 of the Criminal Law Article; [and]

(10) prostitution and related crimes under Title 11, Subtitle 3 of the Criminal Law Article; AND

(11) VIOLATION OF A CONDITION OF PRETRIAL OR POSTTRIAL RELEASE UNDER § 5-213.1 OF THIS ARTICLE.

5-213.1.

(A) A PERSON CHARGED WITH COMMITTING A VIOLATION OF TITLE 3, SUBTITLE 3 OF THE CRIMINAL LAW ARTICLE AGAINST A VICTIM WHO IS A MINOR MAY NOT VIOLATE A CONDITION OF PRETRIAL OR POSTTRIAL RELEASE PROHIBITING THE PERSON FROM CONTACTING, HARASSING, OR ABUSING THE ALLEGED VICTIM OR GOING IN OR NEAR THE ALLEGED VICTIM'S RESIDENCE OR PLACE OF EMPLOYMENT.

(B) A PERSON WHO VIOLATES SUBSECTION (A) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS.”.