

**HB1160/964931/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1160  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “circumstances” in line 5 and substitute “clarifying the authority of the juvenile court to notify certain school officials of certain facts under certain circumstances”; in line 6, strike “requiring” and substitute “authorizing”; in lines 7 and 10, in each instance, strike “delinquent”; in lines 7 and 10, in each instance, strike the commas; in line 12, strike “local” and substitute “county”; strike beginning with “adding” in line 14 down through “circumstances;” in line 16; in line 16, strike “a certain” and substitute “certain”; in the same line, strike “agency” and substitute “agencies”; in lines 16 and 17, strike “a school security officer” and substitute “certain school officials”; in lines 17 and 19, in each instance, after “arrest” insert “or charge”; and in line 22, after “offense” insert “involving rape or a sexual offense”.

On page 2, in lines 6, 8, and 13, in each instance, strike “and gang-like activity” and substitute “, gang activity, and similar destructive or illegal group behavior”; in lines 7 and 8, strike “county board of education” and substitute “local school system”; in lines 8, 9, 10, and 11, in each instance, after “policy” insert “or regulations”; in lines 9, 10, 11, and 12, in each instance, strike “county board” and substitute “local school system”; in line 14, strike “gang or gang-like activity” and substitute “gang activity or similar destructive or illegal group behavior”; and in line 23, after “date;” insert “requiring the Administrative Office of the Courts, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education to report to the Governor, the General Assembly, and certain legislative committees on or before a certain date regarding a certain process, certain notification, and certain recommendations;”.

(Over)

AMENDMENT NO. 2

On page 3, in line 7, strike the brackets; in the same line, strike “**SHALL**”; in line 13, strike “**SHALL**” and substitute “**MAY**”; in line 17, strike “**REQUIRED**” and substitute “**AUTHORIZED**”; and in lines 28 and 30, in each instance, strike “**LOCAL**” and substitute “**COUNTY**”.

On page 4, in line 1, after “**BOARD**” insert “**OF EDUCATION**”; in line 5, strike “**DELINQUENT OR**”; in line 7, strike the brackets; in the same line, strike “**SHALL**”; in line 9, strike “**DELINQUENT OR**”; in line 14, strike “**SHALL**” and substitute “**MAY**”; in line 18, strike “**REQUIRED**” and substitute “**AUTHORIZED**”; in line 20, strike “**DELINQUENCY OR**”; in line 26, strike “**SUBSECTION**” and substitute “**PARAGRAPH**”; and in lines 29 and 31, in each instance, strike “**LOCAL**” and substitute “**COUNTY**”.

AMENDMENT NO. 3

On page 5, in line 1, after “**BOARD**” insert “**OF EDUCATION**”.

On page 6, in line 29, strike the brackets.

On page 7, strike beginning with the semicolon in line 2 down through “**ARTICLE**” in line 10; in line 27, after “(b)”, insert “**(1)**”; and in lines 30 and 33, strike “**(1)**” and “**(I)**”, respectively, and substitute “**(I)**” and “**1.**”, respectively.

On page 8, in lines 1, 3, and 5, strike “**(II)**”, “**(III)**”, and “**(2)**”, respectively, and substitute “**2.**”, “**3.**”, “**(II)**”, respectively; and after line 6, insert:

**“(2) IF A STUDENT IS ARRESTED AND CHARGED WITH A VIOLATION OF § 3-203, § 6-301, § 7-105, § 9-302, § 9-303, OR § 9-305 OF THE CRIMINAL LAW ARTICLE, THE LAW ENFORCEMENT AGENCY RESPONSIBLE FOR THE CHARGE:**

(I) SHALL NOTIFY THE FOLLOWING INDIVIDUALS OF THE CHARGE WITHIN 24 HOURS OF THE CHARGE OR AS SOON AS PRACTICABLE:

1. THE LOCAL SUPERINTENDENT;
2. THE SCHOOL PRINCIPAL; AND
3. FOR A SCHOOL THAT HAS A SCHOOL SECURITY OFFICER, THE SCHOOL SECURITY OFFICER; AND

(II) MAY NOTIFY THE STATE'S ATTORNEY OF THE CHARGE."

AMENDMENT NO. 4

On page 9, in line 5, after "GRADUATES" insert "OR OTHERWISE PERMANENTLY LEAVES SCHOOL"; and in line 10, after "OFFENSE" insert "INVOLVING RAPE OR A SEXUAL OFFENSE".

AMENDMENT NO. 5

On page 10, in lines 5 and 27, in each instance, after "GANGS" insert ", GANG ACTIVITY,"; in lines 5 and 27, in each instance, strike "GANG-LIKE ACTIVITY" and substitute "SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR"; in lines 13, 16 and 17, and 19, in each instance, strike "GANG OR GANG-LIKE ACTIVITY" and substitute "GANG ACTIVITY OR SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR"; in lines 26 and 31, in each instance, strike "COUNTY BOARD" and substitute "LOCAL SCHOOL SYSTEM"; and in lines 26, 29, and 31, in each instance, after "POLICY" insert "OR REGULATIONS".

On page 11, in lines 11, 13, 15, and 16, in each instance, strike "COUNTY BOARD" and substitute "LOCAL SCHOOL SYSTEM"; in lines 11, 13, and 22, in each

(Over)

instance, after “POLICY” insert “OR REGULATIONS”; in line 17, after “GANGS” insert “, GANG ACTIVITY,”; in line 24, strike “GANG OR GANG-LIKE ACTIVITY” and substitute “GANG ACTIVITY OR SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR”; and in lines 17 and 18, strike “GANG-LIKE ACTIVITY” and substitute “SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR”.

On page 12, in line 28, after “POLICIES” insert “AND REGULATIONS”; in the same line, after “GANGS” insert “, GANG ACTIVITY,”; and in line 29, strike “GANG-LIKE ACTIVITY” and substitute “SIMILAR DESTRUCTIVE OR ILLEGAL GROUP BEHAVIOR”.

AMENDMENT NO. 6

On page 13, after line 7, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That on or before December 31, 2010, the Administrative Office of the Courts, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education, shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly, the Senate Education, Health, and Environmental Affairs Committee, the Senate Judicial Proceedings Committee, the House Judiciary Committee, and the House Committee on Ways and Means regarding:

(1) the process for notifying school officials under § 3-819 and § 3-8A-19 of the Courts and Judicial Proceedings Article;

(2) how often school officials are actually notified under these statutes;  
and

(3) recommendations, if any, to improve this process and better serve these students.”;

and in line 8, strike “3.” and substitute “4”.