

HB0510/203625/1

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 510, AS AMENDED
(Third Reading File Bill)

AMENDMENT NO. 1

Strike the Judicial Proceedings Committee Amendment (HB0510/268471/1) in its entirety.

AMENDMENT NO. 2

On page 1 of the bill, strike line 2 in its entirety and substitute “Task Force to Study State Harassment Law”; strike beginning with “altering” in line 7 down through “harassment” in line 9 and substitute “establishing a Task Force to Study State Harassment Law; providing for the composition, chair, and staffing of the Task Force; providing that a member of the Task Force may not receive compensation or reimbursement for expenses; requiring the Task Force to conduct a certain study and to make certain recommendations to the Governor and the General Assembly; providing for the termination of this Act; and generally relating to the Task Force to Study State Harassment Law”; and strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 3

On page 1 of the bill, in line 21, strike “the Laws of Maryland read as follows”.

On page 2 of the bill, strike line 16 in its entirety.

On page 3 of the bill, strike in their entirety lines 12 through 26, inclusive, and substitute:

“(a) There is a Task Force to Study State Harassment Law.

“(b) The Task Force consists of the following members:

(Over)

(1) two members of the Senate of Maryland, including one member of the minority party, appointed by the President of the Senate;

(2) two members of the House of Delegates, including one member of the minority party, appointed by the Speaker of the House;

(3) the Secretary of Public Safety and Correctional Services, or the Secretary's designee;

(4) the Maryland Public Defender, or the Public Defender's designee;

(5) the Maryland State's Attorneys' Association Coordinator, or the Coordinator's designee;

(6) the chair of the Maryland State Commission on Criminal Sentencing Policy, or the chair's designee;

(7) the State Superintendent of Schools, or the Superintendent's designee;

(8) the president of the Maryland State Education Association, or the president's designee; and

(9) the following individuals appointed by the Governor:

(i) a representative of a children's rights advocacy group;

(ii) a representative of an organization that provides services to or advocacy on behalf of victims of domestic violence;

(iii) an elected State's Attorney in the State;

- (iv) an attorney who practices criminal defense in the State; and
 - (v) a representative of a criminal justice policy organization.
- (c) The Governor shall designate the chair of the Task Force.
- (d) The Governor's Office of Crime Control and Prevention shall provide staff for the Task Force.
- (e) A member of the Task Force may not receive:
 - (1) compensation as a member of the Task Force; or
 - (2) reimbursement for expenses.
- (f) The Task Force shall:
 - (1) study the provisions of §§ 3-803 through 3-805 of the Criminal Law Article, which relate to harassment, misuse of telephone facilities and equipment, and misuse of electronic mail, paying particularly close attention to:
 - (i) the appropriateness and consistency of the language used in the sections of law; and
 - (ii) the appropriateness and consistency of the penalties provided in the sections of law;
 - (2) study the problem of the harassment of minors and the adequacy of current law in addressing the problem;

(3) study the use of new technology, including social networking, to engage in harassment and the adequacy of current law in addressing this use of new technology;

(4) make policy recommendations for reducing the incidence of harassment of minors; and

(5) make recommendations for appropriate legislative initiatives to improve State law relating to harassment.

(g) On or before December 31, 2011, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”.

On page 3 of the bill, in line 28, strike “October” and substitute “June”; and in the same line, after “2011.” insert “It shall remain effective for a period of 1 year and, at the end of May 31, 2012, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.