

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 312
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “authorizing” and substitute “prohibiting”; in line 9, strike “to confer” and substitute “from conferring”; in the same line, after “judge;” insert “establishing that the sentencing court retains jurisdiction over a defendant’s case and may rule on a certain motion if the review panel decides that the sentence should remain unchanged;”; and in line 10, after “changed;” insert “establishing that, after resentencing by a review panel, the defendant may file a certain motion for modification even if the defendant previously filed a certain motion for modification;”; and in line 11, after “hearing;” insert “making a certain clarifying change;”.

AMENDMENT NO. 2

On page 3, in line 8, after “MAY” insert “NOT”; in line 20, strike “subject to § 8-107(c) of this subtitle;”; and in line 21, after “sentence” insert “, TO THE EXTENT ALLOWED BY § 8-107 OF THIS SUBTITLE”.

AMENDMENT NO. 3

On page 3, after line 28, insert:

“(E) IF THE REVIEW PANEL DECIDES THAT THE SENTENCE SHOULD REMAIN UNCHANGED, THE SENTENCING JUDGE RETAINS JURISDICTION OVER THE CASE OF THE DEFENDANT AND MAY RULE ON A MOTION FOR MODIFICATION FILED UNDER MARYLAND RULE 4-345.”;

and in line 29, strike “(E)” and substitute “**(F)**”.

On page 4, in line 1, strike the comma and substitute “:

(Over)

(I)”;

and in line 3, after “PANEL” insert “;AND”

(II) THE DEFENDANT MAY FILE A MOTION FOR MODIFICATION OF THE NEW SENTENCE UNDER MARYLAND RULE 4-345, EVEN IF THE DEFENDANT PREVIOUSLY FILED A MOTION FOR MODIFICATION OF THE ORIGINAL SENTENCE”.