

HB0859/152713/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 859
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “adding” insert “certain”; in the same line, strike “caseworkers” and substitute “therapists”; strike beginning with “repealing” in line 6 down through “testify;” in line 8; in line 9, after “statement” insert “in a criminal proceeding or certain juvenile court proceeding; clarifying the circumstances under which an out of court statement of a child victim may be admitted into evidence in a child in need of assistance proceeding in the juvenile court”; and in line 13, strike “and under which a certain deposition is authorized”.

AMENDMENT NO. 2

On page 2, in line 29, after “COUNSELOR” insert “LICENSED OR CERTIFIED IN ACCORDANCE WITH TITLE 17 OF THE HEALTH – OCCUPATIONS ARTICLE”; and in line 30, strike “CASEWORKER” and substitute “THERAPIST LICENSED OR CERTIFIED IN ACCORDANCE WITH TITLE 17 OF THE HEALTH – OCCUPATIONS ARTICLE”.

AMENDMENT NO. 3

On page 3, in line 2, after “evidence” insert “IN A CRIMINAL PROCEEDING OR IN A JUVENILE COURT PROCEEDING OTHER THAN A CHILD IN NEED OF ASSISTANCE PROCEEDING UNDER TITLE 3, SUBTITLE 8 OF THE COURTS ARTICLE”; in lines 6, 11, 12, and 23, in each instance, strike the bracket; in line 6, after “(2)” insert “(1) IN A CHILD IN NEED OF ASSISTANCE PROCEEDING IN THE JUVENILE COURT UNDER TITLE 3, SUBTITLE 8 OF THE COURTS ARTICLE, AN OUT OF COURT STATEMENT BY A CHILD VICTIM MAY COME INTO EVIDENCE TO PROVE THE TRUTH OF THE MATTER ASSERTED IN THE STATEMENT:”

(Over)

1. IF THE STATEMENT IS NOT ADMISSIBLE UNDER ANY OTHER HEARSAY EXCEPTION; AND

2. REGARDLESS OF WHETHER THE CHILD VICTIM TESTIFIES.

(II)”;

strike beginning with the colon in line 7 down through “or” in line 10; and in lines 12 and 23, strike “(2)” and “(3)”, respectively.

AMENDMENT NO. 4

On page 3, strike beginning with “**IF**” in line 23 down through “**THE**” in line 24.