

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 96

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Subsequent” and substitute “Possession of a”; in line 3, strike “Crime”; in line 5, strike “or subsequent”; in line 6, after “court” insert “or successfully complete a substance abuse treatment program”; and in the same line, after “probation” insert “and the defendant meets that requirement”.

AMENDMENT NO. 2

On page 2, strike beginning with “UNLESS” in line 6 down through “PROBATION” in line 7 and substitute “, EXCEPT THAT THE COURT MAY STAY THE ENTERING OF JUDGMENT AND PLACE A DEFENDANT ON PROBATION FOR POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE UNDER § 5-601 OF THE CRIMINAL LAW ARTICLE IF:

(I) THE DEFENDANT HAS BEEN CONVICTED ONCE PREVIOUSLY OF OR RECEIVED PROBATION BEFORE JUDGMENT ONCE PREVIOUSLY FOR POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE UNDER § 5-601 OF THE CRIMINAL LAW ARTICLE;

(II) THE COURT REQUIRES THE DEFENDANT TO GRADUATE FROM DRUG COURT OR SUCCESSFULLY COMPLETE A SUBSTANCE ABUSE TREATMENT PROGRAM AS A CONDITION OF PROBATION; AND

(III) THE DEFENDANT GRADUATES FROM DRUG COURT OR SUCCESSFULLY COMPLETES A SUBSTANCE ABUSE TREATMENT PROGRAM AS REQUIRED”.