

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1382
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Sentencing Procedures – Statement by Victim or Victim’s Representative”; strike beginning with “authorizing” in line 4 down through “accident” in line 7 and substitute “requiring a court in a sentencing or disposition hearing to allow a victim or the victim’s representative to address the court under oath before the imposition of sentence or other disposition under certain circumstances; and generally relating to a certain statement by a victim or the victim’s representative in a sentencing or disposition hearing”; in line 10, after “11-401” insert “and 11-403(a)”; and in line 15, strike “11-402” and substitute “11-403(b)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 6 on page 2 through line 27 on page 3, inclusive, and substitute:

“11-403.

(a) In this section, “sentencing or disposition hearing” means a hearing at which the imposition of a sentence, disposition in a juvenile court proceeding, or alteration of a sentence or disposition in a juvenile court proceeding is considered.

(b) In the sentencing or disposition hearing the court[:

(1) , if practicable, shall allow the victim or the victim’s representative to address the court under oath before the imposition of sentence or other disposition:

[(i)](1) at the request of the prosecuting attorney; [or]

(Over)

(2) AT THE REQUEST OF THE VICTIM OR THE VICTIM'S REPRESENTATIVE; OR

[(ii)](3) if the victim has filed a notification request form under § 11-104 of this title[; and

(2) may allow the victim or the victim's representative to address the court under oath before the imposition of sentence or other disposition at the request of the victim or the victim's representative].”