

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 436
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 7, in each instance, strike “Officer” and substitute “Officers”; strike beginning with “Hearing” in line 2 down through “Evidence” in line 3 and substitute “Show Cause Order – Appropriate Relief”; strike beginning with “requiring” in line 4 down through “by” in line 5 and substitute “requiring a certain court to grant appropriate relief on a finding that”; in line 6, strike “of a law enforcement officer” and substitute “obtained evidence in violation of a certain right or law”; strike in their entirety lines 8 through 12, inclusive; and in line 15, strike “3-107(f)” and substitute “3-105”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 17 on page 2, inclusive, and substitute:

“3-105.”

(a) A law enforcement officer who is denied a right granted by this subtitle may apply to the circuit court of the county where the law enforcement officer is regularly employed for an order that directs the law enforcement agency to show cause why the right should not be granted.

(b) The law enforcement officer may apply for the show cause order:

(1) either individually or through the law enforcement officer’s certified or recognized employee organization; and

(2) at any time prior to the beginning of a hearing by the hearing board.

(Over)

(C) ON A FINDING THAT A LAW ENFORCEMENT AGENCY OBTAINED EVIDENCE AGAINST A LAW ENFORCEMENT OFFICER IN VIOLATION OF A RIGHT GRANTED BY THIS SUBTITLE, THE COURT SHALL GRANT APPROPRIATE RELIEF.”.