

BY: Senator Shank

AMENDMENTS TO SENATE BILL 364
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “citation;” insert “requiring a court to summon a certain person to appear in court under certain circumstances; authorizing a court to order a person convicted of a violation of this Act for a third or subsequent time to attend a certain program;”.

AMENDMENT NO. 2

On page 5, in line 15, before “A” insert “1.”; in the same line, before “VIOLATION” insert “FIRST OR SECOND”; and after line 18, insert:

“2. IN ADDITION TO A FINE, A COURT MAY ORDER A PERSON CONVICTED OF A THIRD OR SUBSEQUENT VIOLATION PUNISHABLE UNDER THIS SUBPARAGRAPH TO ATTEND A DRUG TREATMENT AND EDUCATION PROGRAM APPROVED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.”

AMENDMENT NO. 3

On page 8, in line 12, after “(C)” insert “(1)”; in lines 16, 17, 18, 19, 20, 22, 24, 25, and 27, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(I)”, “(II)”, and “(7)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, “1.”, “2.”, and “(VII)”, respectively; in line 21, after “ALLOWED” insert “, EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION”; and after line 29, insert:

“(2) IF THE COURT FINDS THAT A PERSON HAS COMMITTED A THIRD OR SUBSEQUENT VIOLATION OF § 5-601 OF THIS PART INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA, THE COURT

(Over)

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SHALL SUMMON THE PERSON FOR TRIAL FOR THE PURPOSE OF DETERMINING
WHETHER TO ORDER THE PERSON TO ATTEND A PROGRAM DESCRIBED IN § 5-
601(C)(2)(II)2 OF THIS SUBTITLE.”.