

HB1418/872517/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1418

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 4 down through “hearing;” in line 6; in line 7, strike “drug distribution or”; strike beginning with “repealing” in line 9 down through “parole;” in line 10; in line 13, after “circumstances;” insert “altering the membership of the Justice Reinvestment Oversight Board;”; in line 15, after “changes;” insert “making clarifying changes; making a certain technical correction;”; in the same line, after “date” insert “of certain provisions”; and in line 19, strike “5-601(e)(1), 5-609.1, and 14-101(f)” and substitute “5-601(e)(1) and 5-609.1”.

On page 2, after line 8, insert:

“BY repealing and reenacting, without amendments,

Article – State Government

Section 9-3202

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9-3203(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, with amendments,

Article - Transportation

Section 27-101(gg)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(Over)

**HB1418/872517/1 House Judiciary Committee**  
**Amendments to HB 1418**  
**Page 2 of 7**

(As enacted by Chapter 515 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article - Transportation

Section 16-303(k)

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

(As enacted by Chapter (S.B. 165) of the Acts of the General Assembly of 2017)”;

and in line 9, strike “AND BE IT FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

AMENDMENT NO. 2

On page 3, in line 2, strike “submitted to” and substitute “FILED WITH”; in line 4, after “application” insert “FILED”; strike in their entirety lines 8 and 9; in line 10, strike the first set of brackets; in the same line, strike “(5)”; in line 17, after “BEFORE” insert “SEPTEMBER 30, 2017”; in line 32, after “APPLICATION” insert “UNDER”; and in the same line, strike “SUBMITTED TO” and substitute “FILED WITH”.

On page 4, in line 1, after “APPLICATION” insert “FILED”; strike beginning with “THE” in line 5 down through “(5)” in line 7; and strike in their entirety lines 11 through 20, inclusive.

AMENDMENT NO. 3

On page 6, in lines 24 and 25, in each instance strike “two” and substitute “THREE”; and after line 27, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Government

**HB1418/872517/1 House Judiciary Committee**  
**Amendments to HB 1418**  
**Page 3 of 7**

9-3202.

There is a Justice Reinvestment Oversight Board in the Governor's Office of Crime Control and Prevention.

9-3203.

(a) The Board consists of the following members:

- (1) one member of the Senate of Maryland, appointed by the President of the Senate;
- (2) one member of the House of Delegates, appointed by the Speaker of the House;
- (3) the Executive Director, or the Executive Director's designee;
- (4) the Secretary of Public Safety and Correctional Services, or the Secretary's designee;
- (5) the chair of the Maryland Parole Commission, or the chair's designee;
- (6) the Secretary of State Police, or the Secretary's designee;
- (7) the Attorney General, or the Attorney General's designee;
- (8) the Public Defender, or the Public Defender's designee;
- (9) the Secretary of Budget and Management, or the Secretary's designee;

(Over)

HB1418/872517/1 House Judiciary Committee  
Amendments to HB 1418  
Page 4 of 7

(10) the Secretary of Health and Mental Hygiene, or the Secretary's designee;

(11) the chair of the Local Government Justice Reinvestment Commission, or the chair's designee;

(12) two members appointed by the Chief Judge of the Court of Appeals;

(13) the Secretary of Labor, Licensing, and Regulation, or the Secretary's designee;

(14) one member appointed by the Maryland Chiefs and Sheriffs Association;

(15) the president of the Maryland State's Attorneys' Association or the president's designee;

(16) two members of the Maryland Correctional Administrators Association, appointed by the president of the Maryland Correctional Administrators Association, including one representative from a large correctional facility and one representative from a small correctional facility;

(17) the president of the Maryland Association of Counties or the president's designee; [and]

**(18) ONE MEMBER REPRESENTING A COMMUNITY ADVOCACY ORGANIZATION, APPOINTED BY THE PRESIDENT OF THE SENATE;**

**(19) ONE MEMBER REPRESENTING A COMMUNITY ADVOCACY ORGANIZATION, APPOINTED BY THE SPEAKER OF THE HOUSE; AND**

~~[(18)]~~**(20)** the following individuals, appointed by the Governor:

(i) one member representing victims of crime;

(ii) one member representing law enforcement;

(iii) two local health officers; and

(iv) one member with direct experience teaching inmates in academic programs intended to achieve the goal of a high school diploma or general educational development certification.”.

AMENDMENT NO. 4

On page 6, before line 28, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

27–101.

(gg) (1) A person who is [convicted of] CHARGED WITH a violation of § 16–303(h) (“Licenses suspended under certain provisions of Code”) or § 16–303(i) (“Licenses suspended under certain provisions of the traffic laws or regulations of another state”) of this article:

[(1) Is subject to a fine of not more than \$500;

(2)] (I) Must appear in court; and

(Over)

[(3)] (II) May not prepay the fine.

(2) A PERSON CONVICTED OF A VIOLATION OF § 16-303(H) (“LICENSES SUSPENDED UNDER CERTAIN PROVISIONS OF CODE”) OR § 16-303(I) (“LICENSES SUSPENDED UNDER CERTAIN PROVISIONS OF THE TRAFFIC LAWS OR REGULATIONS OF ANOTHER STATE”) OF THIS ARTICLE IS SUBJECT TO A FINE NOT EXCEEDING \$500.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

16-303.

(k) (1) Except as provided in paragraph (2) of this subsection, a person convicted of a violation of this section is subject to:

(i) For a first offense, imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both; and

(ii) For a second or subsequent offense, imprisonment not exceeding 2 years or a fine not exceeding \$1,000 or both.

(2) (I) A person [convicted of] CHARGED WITH a violation of subsection (h) or (i) of this section:

[(i) Is subject to a fine not exceeding \$500;

[(ii)] 1. Must appear in court; and

[(iii)] 2. May not prepay the fine.

**(II) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (H) OR (I) OF THIS SECTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.**;

in line 28, strike “2.” and substitute “5.”; in the same line, after “That” insert “Sections 1 and 3”; in line 30, after the comma insert “Sections 1 and 3”; and after line 31, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect October 1, 2017, contingent on the taking effect of Chapter (S.B. 165) of the Acts of the General Assembly of 2017, and if Chapter (S.B. 165) does not become effective, Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 7. AND BE IT FURTHER ENACTED, That, if Section 4 of this Act takes effect, Section 3 of this Act shall be abrogated and of no further force and effect.

SECTION 8. AND BE IT FURTHER ENACTED, That, subject to the provisions of Sections 5 and 6 of this Act, this Act shall take effect October 1, 2017.”.