

HB0459/243826/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 459
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, strike “(e)” and substitute “(e)(2) and (3)”.

AMENDMENT NO. 2

On page 6, strike beginning with the colon in line 4 down through “**OR**” in line 19 and substitute “**A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE; OR**”.

On pages 9 and 10, strike beginning with “(1)” in line 32 on page 9 down through “**FIREARM.**” in line 22 on page 10.

On page 16, strike beginning with the colon in line 15 down through “**OR**” in line 18 and substitute “**THE OFFENSE INVOLVES A FIREARM; OR**”; and in line 19, strike “~~3-8A-19.7~~” and substitute “~~3-8A-19.6~~”.

On page 17, after line 8 insert:

“(A) IN THIS SECTION, “TECHNICAL VIOLATION” MEANS A VIOLATION OF PROBATION THAT DOES NOT INVOLVE:

(1) AN ARREST OR A SUMMONS ISSUED BY A COMMISSIONER ON A STATEMENT OF CHARGES FILED BY A LAW ENFORCEMENT OFFICER;

(2) A VIOLATION OF A CRIMINAL PROHIBITION, OR AN ACT THAT WOULD BE A VIOLATION OF A CRIMINAL PROHIBITION IF COMMITTED BY AN ADULT, OTHER THAN A MINOR TRAFFIC OFFENSE;

(3) A VIOLATION OF A NO-CONTACT OR STAY-AWAY ORDER; OR

(4) ABSCONDING.

(B) THIS SECTION DOES NOT APPLY TO AN OFFENSE COMMITTED BY A CHILD THAT, IF COMMITTED BY AN ADULT, WOULD BE A FELONY AND A CRIME OF VIOLENCE UNDER § 14-101 OF THE CRIMINAL LAW ARTICLE.”;

in line 9, strike “(A)” and substitute “(C)”; in line 11, strike “(B)” and substitute “(D)”; in line 24, strike “(C)” and substitute “(E)”; and in line 25, strike “AND SUBSECTION (D) OF THIS SECTION”.

On page 18, strike in their entirety lines 19 through 29, inclusive; and after line 29 insert:

“(F) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, IF A CHILD IS FOUND TO HAVE COMMITTED A VIOLATION OF PROBATION, EXCEPT FOR A TECHNICAL VIOLATION, A COURT MAY, AFTER A HEARING, PLACE THE CHILD ON A NEW TERM OF PROBATION FOR A PERIOD THAT IS CONSISTENT WITH THE PERIOD OF PROBATION THAT MAY BE IMPOSED UNDER THIS SECTION FOR THE DELINQUENT ACT FOR WHICH THE CHILD WAS ORIGINALLY PLACED ON PROBATION.”.

On pages 18 and 19, strike beginning with “MEANS” in line 31 on page 18 down through “ABSCONDING” in line 7 on page 19 and substitute “**HAS THE MEANING STATED IN § 3-8A-19.6 OF THIS SUBTITLE**”.