

SB0528/723925/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 528
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “requiring” insert “, subject to a certain exception.”.

AMENDMENT NO. 2

On page 2, in line 19, strike “The” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**”; after line 29, insert:

“(II) 1. FOR AN INDIVIDUAL GRANTED PROBATION BEFORE JUDGMENT UNDER § 6-220 OF THE CRIMINAL PROCEDURE ARTICLE FOR A VIOLATION OF § 21-902(A) OR (B) OF THIS ARTICLE, THE COURT SHALL HOLD A HEARING TO DETERMINE WHETHER PARTICIPATION IN THE PROGRAM IS NECESSARY FOR THE SAFETY OF THE COMMUNITY.

2. IF, AFTER THE HEARING REQUIRED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH, THE COURT FINDS THAT PARTICIPATION IN THE PROGRAM IS NOT NECESSARY, THE COURT SHALL ENTER THE FINDING AND WAIVE THE INDIVIDUAL’S PARTICIPATION IN THE PROGRAM ON THE RECORD OF THE COURT.”;

in line 30, strike “(ii)” and substitute “**(III)**”; and after line 33, insert:

“(iii) (IV) Nothing contained in this paragraph limits the authority of the Administration to modify a suspension imposed under this paragraph to allow an individual to be a participant in accordance with subsection (e) or (o) of this section.

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[(iv)] (v) The Administration shall issue a restricted license to an individual who is required to participate in the Program under this section and who is otherwise eligible.”.