

SB0744/313024/1

BY: Senator Salling

AMENDMENTS TO SENATE BILL 744, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Judicial Proceedings Committee Amendments (SB0744/203524/1), in line 1 of Amendment No. 2, before “requiring” insert “expanding certain provisions of law relating to the entry onto certain school or other property by, and the education of, certain sex offender registrants to include juvenile sex offender registrants;”.

On page 1 of the bill, in line 25, after “2-108” insert “and 11-722”.

AMENDMENT NO. 2

On page 2 of the Judicial Proceedings Committee Amendments, in line 14 of Amendment No. 5, strike the period and substitute “.

11-722.

(a) (1) In this section the following words have the meanings indicated.

(2) “County board” has the meaning stated in § 1-101 of the Education Article.

(3) “JUVENILE REGISTRANT” HAS THE MEANING STATED IN § 11-704.1 OF THIS SUBTITLE.

~~(3)~~ (4) “State Board” has the meaning stated in § 1-101 of the Education Article.

(b) This section does not apply to a registrant OR A JUVENILE REGISTRANT who enters real property:

(1) where the registrant's OR A JUVENILE REGISTRANT'S child is a student or receives child care, if:

(i) within the past year the registrant OR JUVENILE REGISTRANT has been given the specific written permission of the Superintendent of Schools, the local school board, the principal of the school, or the owner or operator of the registered family child care home, licensed child care home, or licensed child care institution, as applicable; and

(ii) the registrant OR JUVENILE REGISTRANT promptly notifies an agent or employee of the school, home, or institution of the registrant's OR JUVENILE REGISTRANT'S presence and purpose of visit; or

(2) for the purpose of voting at a school on an election day in the State if the registrant OR JUVENILE REGISTRANT is properly registered to vote and the registrant's polling place is at the school.

(c) Except as provided in subsection (e) of this section, a registrant OR JUVENILE REGISTRANT may not knowingly enter onto real property:

(1) that is used for public or nonpublic elementary or secondary education; or

(2) on which is located:

(i) a family child care home registered under Title 5, Subtitle 5 of the Family Law Article;

(ii) a child care home or a child care institution licensed under Title 5, Subtitle 5 of the Family Law Article; or

(iii) a home where informal child care, as defined in child care subsidy regulations adopted under Title 13A of the Code of Maryland Regulations, is being provided or will be provided to a child who does not reside there.

(d) A person who enters into a contract with a county board or a nonpublic school may not knowingly employ an individual to work at a school if the individual is a registrant **OR A JUVENILE REGISTRANT**.

(e) (1) A registrant **OR JUVENILE REGISTRANT** who is a student may receive an education in accordance with State law in any of the following locations:

(i) a location other than a public or nonpublic elementary or secondary school, including by:

1. participating in the Home and Hospital Teaching Program for Students; or

2. participating in or attending a program approved by a county board under paragraph (2) of this subsection;

(ii) a Regional Institute for Children and Adolescents; or

(iii) a nonpublic educational program as provided by § 8–406 of the Education Article if:

1. the registrant **OR JUVENILE REGISTRANT** has notified an agent or employee of the nonpublic educational program that the registrant **OR JUVENILE REGISTRANT** is required to register under this subtitle; and

2. the registrant OR JUVENILE REGISTRANT has been given specific written permission by an agent or employee of the nonpublic educational program to attend the nonpublic educational program.

(2) Each county board shall develop and adopt a policy that enables a registrant OR JUVENILE REGISTRANT who is a student to receive an education as described under paragraph (1) of this subsection.

(3) The State Board shall develop and adopt guidelines and a model policy to assist a county board with the development of a policy under paragraph (2) of this subsection.

(f) A person who violates subsection (c) or (d) of this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.”.