

HB0579/473526/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 579
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “**and**” in line 2 down through “**Locations**” in line 3; strike beginning with “requiring” in line 4 down through “locations;” in line 5; strike beginning with “requiring” in line 12 down through “locations;” in line 16; in line 17, strike “and immigration enforcement at sensitive locations”; and strike in their entirety lines 18 through 22, inclusive.

On page 2, in line 3, strike “2-104(c).”; in the same line, strike the second comma; and strike in their entirety lines 11 through 15, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 19 on page 2 through line 16 on page 3, inclusive.

On page 4, in line 3, strike “NONIMMIGRANT STATUS PETITION” and substitute “VISA”; in line 6, strike “§ 1184(P)” and substitute “§ 1184(O)”; in line 7, strike “, 8 C.F.R. § 245.24” and substitute “AND 245.24”; in line 14, strike “NONIMMIGRANT STATUS PETITION” and substitute “VISA”; in lines 23, 28, and 32, in each instance, strike “or”; and in lines 23, 28, and 32, in each instance, after “prosecution” insert “, CONVICTION OR SENTENCING”.

On page 5, in line 11, after “section,” insert “THERE IS A REBUTTABLE PRESUMPTION THAT”; strike beginning with the first “is” in line 12 down through the third “helpful” in line 15 and substitute “HAS NOT UNREASONABLY REFUSED TO COOPERATE OR UNREASONABLY FAILED TO PROVIDE INFORMATION AND ASSISTANCE REASONABLY REQUESTED BY LAW ENFORCEMENT AUTHORITIES,”

THE VICTIM OR THE VICTIM’S PARENT, GUARDIAN, OR NEXT FRIEND SHALL BE CONSIDERED TO BE HELPFUL, TO HAVE BEEN HELPFUL, OR LIKELY TO BE HELPFUL TO THE DETECTION, INVESTIGATION, PROSECUTION, CONVICTION, OR SENTENCING, OF THE QUALIFYING CRIMINAL ACTIVITY”; in line 21, strike “or”; in the same line, after “prosecuted” insert “, CONVICTED, OR SENTENCED”; in line 23, strike “or”; in the same line, after “prosecution” insert “, CONVICTION, OR SENTENCING”; and strike beginning with “(1)” in line 27 down through “section.” in line 33 and substitute:

“(1) Except as provided in [paragraph (2)] PARAGRAPHS (2), (3), AND (4) of this subsection, the certifying entity shall certify or decline certification of the Form I-918, Supplement B certification within [90] 45 days after receiving a request under subsection (a) of this section.

(2) If a noncitizen victim is the subject of removal, exclusion, or deportation proceedings or subject to a final order of removal, exclusion, or deportation, the certifying entity shall certify or decline certification of the Form I-918, Supplement B certification within 14 days after receiving a request under subsection (a) of this section.

(3) IF A NONCITIZEN VICTIM IS THE SUBJECT OF REMOVAL, EXCLUSION, OR DEPORTATION PROCEEDINGS AND IS DETAINED PENDING RESOLUTION OF THE PROCEEDINGS, THE CERTIFYING ENTITY SHALL CERTIFY OR DECLINE CERTIFICATION OF THE FORM I-918, SUPPLEMENT B CERTIFICATION WITHIN 7 DAYS AFTER RECEIVING A REQUEST UNDER SUBSECTION (A) OF THIS SECTION.

(4) IF A QUALIFYING FAMILY MEMBER OF A NONCITIZEN VICTIM WILL LOSE ELIGIBILITY FOR U NONIMMIGRANT STATUS IN 60 DAYS OR FEWER BECAUSE OF THE AGE OF THE QUALIFYING FAMILY MEMBER, THE CERTIFYING

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ENTITY SHALL CERTIFY OR DECLINE CERTIFICATION OF THE FORM I-918, SUPPLEMENT B CERTIFICATION WITHIN 12 DAYS AFTER RECEIVING A REQUEST UNDER SUBSECTION (A) OF THIS SECTION.

On page 6, strike beginning with “**THERE**” in line 3 down through “**SECTION**” in line 5 and substitute “**A CERTIFYING ENTITY MAY NOT DECLINE CERTIFICATION OF THE FORM I-918, SUPPLEMENT B CERTIFICATION SOLELY BASED ON THE AMOUNT OF TIME THAT HAS PASSED SINCE A QUALIFYING CRIME WAS COMMITTED**”; strike beginning with “**U**” in line 26 down through “**STATUS**” in line 27 and substitute “**A U OR A T VISA**”; in line 28, strike “**STATUS**” and substitute “**VISA**”; and in line 34, strike “**U NONIMMIGRANT STATUS**” and substitute “**A U OR A T VISA**”.

On page 7, strike beginning with the comma in line 6 down through the second “**HELPFUL**” in line 7; and strike beginning with “**NONIMMIGRANT**” in line 10 down through “**PETITION**” in line 11 and substitute “**OR A T VISA APPLICATION**”.

On pages 8 and 9, strike in their entirety the lines beginning with line 8 on page 8 through line 24 on page 9, inclusive.