

BY: Delegate Rose

AMENDMENTS TO HOUSE BILL 444, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “agreement” insert “except under certain circumstances”.

AMENDMENT NO. 2

On page 2, in line 12, strike “THE” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE”; and after line 14, insert:

“(C) THE STATE, A UNIT OF LOCAL GOVERNMENT, A COUNTY SHERIFF, OR ANY AGENCY, OFFICER, EMPLOYEE, OR AGENT OF THE STATE OR A UNIT OF LOCAL GOVERNMENT MAY ENTER INTO AN IMMIGRATION ENFORCEMENT AGREEMENT FOR THE PURPOSE OF ENFORCING CIVIL IMMIGRATION LAW WHEN AN INDIVIDUAL HAS BEEN CHARGED WITH COMMITTING:

(1) A SEXUAL OFFENSE IN THE FIRST DEGREE;

(2) A SEXUAL OFFENSE IN THE SECOND DEGREE; OR

(3) SEXUAL ABUSE OF A MINOR UNDER § 3-602 OF THE CRIMINAL LAW ARTICLE IF:

(1) 1. THE VICTIM IS UNDER THE AGE OF 13 YEARS AND THE OFFENDER IS AN ADULT AT THE TIME OF THE OFFENSE; OR

2. THE OFFENDER IS AT LEAST 21 YEARS OLD AND THE VICTIM IS UNDER THE AGE OF 16 YEARS; AND

(II) THE OFFENSE INVOLVED:

- 1. VAGINAL INTERCOURSE, AS DEFINED IN § 3-101 OF THE CRIMINAL LAW ARTICLE;**
- 2. A SEXUAL ACT, AS DEFINED IN § 3-301 OF THE CRIMINAL LAW ARTICLE;**
- 3. AN ACT IN WHICH A PART OF THE OFFENDER'S BODY PENETRATES, HOWEVER SLIGHTLY, INTO THE VICTIM'S GENITAL OPENING OR ANUS; OR**
- 4. THE INTENTIONAL TOUCHING OF THE VICTIM'S OR THE OFFENDER'S GENITAL, ANAL, OR OTHER INTIMATE AREAS FOR SEXUAL AROUSAL, GRATIFICATION, OR ABUSE.”.**