

SB0364/603728/1

BY: Delegate Ready

AMENDMENTS TO SENATE BILL 364, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 4, after “marijuana” insert “under certain circumstances”; in line 5, after “marijuana” insert “by a person at least a certain age”; and in line 9, after “program;” insert “providing for the expungement of a certain criminal record;”.

On page 2 of the bill, in line 7, strike “3-8A-01(dd), 3-8A-19(e)(2),”; and in the same line, strike “3-8A-33(a), and”.

On pages 2 through 4 of the bill, strike in their entirety the lines beginning with line 38 on page 2 through line 27 on page 4, inclusive.

AMENDMENT NO. 2

On pages 1 and 2 of the House Judiciary Committee Amendments (SB0364/352611/2), strike Amendment No. 3 in its entirety.

AMENDMENT NO. 3

On page 6 of the bill, in line 11, strike “OR SECOND”; in line 13, after “marijuana” insert “BY A PERSON WHO IS AT LEAST 21 YEARS OLD”; after line 14, insert:

“2. A SECOND VIOLATION OF THIS SECTION INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA BY A PERSON WHO IS AT LEAST 21 YEARS OLD IS A CIVIL OFFENSE PUNISHABLE BY A FINE NOT EXCEEDING \$250.”

(Over)

3. A THIRD OR SUBSEQUENT VIOLATION OF THIS SECTION INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA BY A PERSON WHO IS AT LEAST 21 YEARS OLD IS A CIVIL OFFENSE PUNISHABLE BY A FINE NOT EXCEEDING \$500.;

in line 15, strike “2.” and substitute “4.”; in the same line, strike “MAY” and substitute “SHALL”; in line 16, strike “CONVICTED OF A THIRD OR SUBSEQUENT” and substitute “AT LEAST 21 YEARS OLD WHO COMMITS A”; in line 17, after “UNDER” insert “SUBSUBPARAGRAPH 3 OF”; and after line 19, insert:

“5. NOTWITHSTANDING TITLE 10, SUBTITLE 1 OF THE CRIMINAL PROCEDURE ARTICLE, A PERSON CONVICTED UNDER PARAGRAPH (2) OF THIS SUBSECTION FOR A VIOLATION OF THIS PARAGRAPH INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA WHILE THE PERSON WAS UNDER THE AGE OF 21 YEARS SHALL HAVE THE CRIMINAL RECORD FOR THE VIOLATION EXPUNGED AUTOMATICALLY ON REACHING 21 YEARS OF AGE.”.

On page 8 of the bill, after line 32, insert:

“(D) THE PROVISIONS OF SUBSECTION (C)(2)(II) OF THIS SECTION MAKING THE POSSESSION OF MARIJUANA A CIVIL OFFENSE MAY NOT BE CONSTRUED TO AFFECT THE LAWS RELATING TO:

(1) OPERATING A VEHICLE OR VESSEL WHILE UNDER THE INFLUENCE OF OR WHILE IMPAIRED BY A CONTROLLED DANGEROUS SUBSTANCE; OR

(2) SEIZURE AND FORFEITURE.”.

On page 9 of the bill, in line 20, after the semicolon insert “AND”; and strike beginning with the semicolon in line 25 down through “**ARTICLE**” in line 28.

On page 10 of the bill, in line 1, after “PERSON” insert “AT LEAST 21 YEARS OLD”; and strike beginning with the second “FOR” in line 4 down through “SUBTITLE” in line 6.