

HB0833/143423/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 833  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “and a court are” and substitute “is”; in line 5, strike “or a court”; strike beginning with “providing” in line 7 down through “trafficking;” in line 10 and substitute “providing that it is an affirmative defense of duress to certain offenses if the defendant who is a minor in a criminal proceeding or a delinquency proceeding against a child if the defendant or child committed the offense as a result of being the victim of another under certain State and federal prohibitions against human trafficking;”.

On page 2, strike in their entirety lines 2 through 6, inclusive.

AMENDMENT NO. 2

On pages 5 and 6, strike in their entirety the lines beginning with line 8 on page 5 through line 27 on page 6, inclusive.

On page 7, strike in their entirety lines 5 through 10, inclusive and substitute:

**“(3) “VIOLATION” HAS THE MEANING STATED IN § 3-8A-01 OF THE COURTS ARTICLE.”;**

in line 11, after “(B)” insert “(1)”; strike beginning with “A” in line 11 down through “AGAINST” in line 12 and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IN A CRIMINAL PROSECUTION AGAINST A MINOR, OR IN A PROCEEDING AGAINST A DELINQUENT CHILD**”; in line 13, after “ARTICLE” insert a comma; strike beginning with “IF” in line 14 down through “TRAFFICKING” in line 15 and substitute “**IT IS AN AFFIRMATIVE DEFENSE OF DURESS IF THE DEFENDANT OR CHILD COMMITTED THE ACT AS A RESULT OF BEING THE VICTIM OF ANOTHER**”.

UNDER TITLE 3, SUBTITLE 11 OF THIS ARTICLE OR THE PROHIBITION AGAINST HUMAN TRAFFICKING UNDER FEDERAL LAW.

(2) A DEFENDANT OR A CHILD IN A DELINQUENCY PROCEEDING MAY NOT ASSERT THE AFFIRMATIVE DEFENSE PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION UNLESS THE DEFENDANT OR CHILD NOTIFIES THE STATE'S ATTORNEY OF THE DEFENDANT'S OR CHILD'S INTENTION TO ASSERT THE DEFENSE AT LEAST 10 DAYS BEFORE TRIAL".