

HB1029/942916/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1029

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Transporting” insert “Loaded”; in line 4, after the first “of” insert “prohibiting a person from wearing, carrying, or transporting a handgun loaded with ammunition on or about the person or in a vehicle under certain circumstances;”; and in line 7, after “exception;” insert “providing that a certain mandatory minimum sentence may not be imposed unless the State’s Attorney notifies a certain defendant in writing at a certain time of a certain intention;”.

AMENDMENT NO. 2

On page 2, in line 2, strike “or”; in line 4, after “person” insert “**;OR**”

(V) VIOLATE ITEM (I) OR (II) OF THIS PARAGRAPH WITH A HANDGUN LOADED WITH AMMUNITION”.

AMENDMENT NO. 3

On page 4, in line 12, after “(ii)” insert “**1.**”; in the same line, strike “The” and substitute “**EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE**”; in the same line, strike “SUSPEND ANY PART OF OR”; in line 13, strike “MANDATORY”; after line 14, insert:

“2. IF THE PERSON VIOLATES SUBSECTION (A)(1)(V) OF THIS SECTION, THE COURT MAY NOT SUSPEND ANY PART OF OR IMPOSE LESS THAN THE APPLICABLE MANDATORY MINIMUM SENTENCE PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;

(Over)

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in line 16, after “ARTICLE,” insert “IF THE PERSON VIOLATES SUBSECTION (A)(1)(V) OF THIS SECTION,”; and after line 17, insert:

“(IV) A MANDATORY MINIMUM SENTENCE UNDER SUBPARAGRAPH (II)2 OF THIS PARAGRAPH MAY NOT BE IMPOSED UNLESS THE STATE’S ATTORNEY NOTIFIES THE DEFENDANT IN WRITING AT LEAST 30 DAYS BEFORE TRIAL OF THE STATE’S INTENTION TO SEEK THE MANDATORY MINIMUM SENTENCE.”.

AMENDMENT NO. 4

On page 4, in line 28, after “(ii)” insert “1.”; in the same line, strike “The” and substitute “EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE”; in the same line, strike “SUSPEND ANY PART OF OR”; in line 29, strike “MANDATORY”; after line 30, insert:

“2. IF THE PERSON VIOLATES SUBSECTION (A)(1)(V) OF THIS SECTION, THE COURT MAY NOT SUSPEND ANY PART OF OR IMPOSE LESS THAN THE APPLICABLE MANDATORY MINIMUM SENTENCE PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;

in line 32, after “ARTICLE,” insert “IF THE PERSON VIOLATES SUBSECTION (A)(1)(V) OF THIS SECTION,”; and after line 33, insert:

“(IV) A MANDATORY MINIMUM SENTENCE UNDER SUBPARAGRAPH (II)2 OF THIS PARAGRAPH MAY NOT BE IMPOSED UNLESS THE STATE’S ATTORNEY NOTIFIES THE DEFENDANT IN WRITING AT LEAST 30 DAYS BEFORE TRIAL OF THE STATE’S INTENTION TO SEEK THE MANDATORY MINIMUM SENTENCE.”.