

HB1646/622411/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1646
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after the second “to” insert “make a certain attestation to the court or”; in the same line, strike “and” and substitute “; requiring the defendant to”; in line 8, strike “or the State’s Attorney”; and strike beginning with “or” in line 12 down through “period” in line 14 and substitute “; authorizing the court on a certain application or based on certain evidence to issue a certain search warrant”.

AMENDMENT NO. 2

On page 3, in line 10, strike “**THAT IS POTENTIALLY A DOMESTICALLY RELATED CRIME**” and substitute “AND THE UNDERLYING FACTS OF THAT CRIME WOULD SUPPORT A FINDING BY THE COURT, UNDER § 6-233 OF THIS SUBTITLE, THAT THE CRIME IS A DOMESTICALLY RELATED CRIME”; in line 21, strike “**ON CONVICTION OF OR PLEA OF GUILTY**” and substitute “AT THE TIME OF SENTENCING FOR A CONVICTION, PLEA OF GUILTY, OR THE EQUIVALENT OF A PLEA OF GUILTY”; after line 29, insert:

“(1) ATTEST TO THE COURT THAT THE PERSON DOES NOT PRESENTLY OWN OR POSSESS ANY REGULATED FIREARMS, RIFLES, OR SHOTGUNS; OR”;

in line 30, strike “**(1)**” and substitute “(2)”; and in line 32, strike “; **AND**” and substitute a period.

On page 4, in line 1, strike “**(2)**” and substitute “(E) THE DEFENDANT SHALL”; in the same line, strike “**OR THE STATE’S ATTORNEY**”; in line 5, strike “**(E)**” and substitute “(F)”; in line 7, strike “**CONVICTION**” and substitute “SENTENCING”; in

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line 28, strike “(F)” and substitute “(G)”; strike beginning with the colon in line 29 down through “(1)” in line 30; and strike beginning with “OR” in line 30 down through “ATTORNEY” in line 31.

On page 5, strike beginning with the semicolon in line 1 down through “ORDER” in line 5; strike in their entirety lines 6 through 14, inclusive, and substitute:

“(H) ON APPLICATION BY THE STATE’S ATTORNEY OR A LAW ENFORCEMENT OFFICIAL BASED ON THE FAILURE TO FILE THE PROOF OF TRANSFER REQUIRED BY SUBSECTION (G) OF THIS SECTION OR BASED ON PROBABLE CAUSE TO BELIEVE THAT THE PERSON HAS FAILED TO SURRENDER ONE OR MORE REGULATED FIREARMS, RIFLES, OR SHOTGUNS IN ACCORDANCE WITH THIS SECTION, THE COURT MAY ISSUE A SEARCH WARRANT FOR THE REMOVAL OF ANY REGULATED FIREARMS, RIFLES, OR SHOTGUNS OWNED OR POSSESSED BY THE PERSON AT ANY LOCATION IDENTIFIED IN THE APPLICATION FOR THE WARRANT.”;

and in line 15, strike “(H)” and substitute “(I)”.