

HB0113/935961/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 113
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “penalties;” insert “requiring a court to order the Maryland Department of Health, or a certain designee, to conduct a certain assessment of a certain individual under certain circumstances; authorizing a court to order the Department, or a certain designee, to conduct a certain assessment of a certain individual under certain circumstances; authorizing a defendant to request a certain assessment; requiring a court to state the basis of its decision on the record if the court denies a certain request; requiring the Department, or a certain designee, to conduct an assessment and provide certain information to certain persons under certain circumstances; authorizing a court, under certain circumstances, to hold a case sub curia pending certain receipt of proof of completed treatment;”.

AMENDMENT NO. 2

On page 4, in line 1, strike “A” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**”; and in line 7, after “(2)” insert “**(I) IF AN INDIVIDUAL UNDER THE AGE OF 21 YEARS IS CONVICTED OF VIOLATING THIS SECTION FOR THE FIRST TIME, INSTEAD OF IMPOSING A FINE A COURT SHALL ORDER THE MARYLAND DEPARTMENT OF HEALTH OR A CERTIFIED AND LICENSED DESIGNEE TO:**

1. CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR A PROBLEM GAMBLING DISORDER; AND

2. DETERMINE WHETHER THE DEFENDANT IS IN NEED OF OR MAY BENEFIT FROM TREATMENT FOR A PROBLEM GAMBLING DISORDER.

(Over)

(II) IF AN INDIVIDUAL AT LEAST 21 YEARS OLD IS CONVICTED OF VIOLATING THIS SECTION FOR THE FIRST TIME, INSTEAD OF IMPOSING A FINE A COURT MAY ORDER THE MARYLAND DEPARTMENT OF HEALTH OR A CERTIFIED AND LICENSED DESIGNEE TO:

1. CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR A PROBLEM GAMBLING DISORDER; AND

2. DETERMINE WHETHER THE DEFENDANT IS IN NEED OF OR MAY BENEFIT FROM TREATMENT FOR A PROBLEM GAMBLING DISORDER.

(III) AN ASSESSMENT FOR PROBLEM GAMBLING DISORDER MAY BE REQUESTED BY A DEFENDANT CHARGED WITH VIOLATING THIS SECTION.

(IV) IF A COURT DENIES THE REQUEST UNDER SUBPARAGRAPH (III) OF THE PARAGRAPH, THE COURT SHALL STATE ON THE RECORD THE BASIS FOR THE DENIAL.

(3) ON RECEIVING AN ORDER UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE MARYLAND DEPARTMENT OF HEALTH, OR THE DESIGNEE, SHALL CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR A PROBLEM GAMBLING DISORDER AND PROVIDE THE RESULTS TO THE COURT, THE DEFENDANT OR DEFENDANT'S ATTORNEY, AND THE STATE IDENTIFYING THE DEFENDANT'S PROBLEM GAMBLING TREATMENT NEEDS.

(4) A COURT THAT ORDERS A PERSON TO A PROBLEM GAMBLING ASSESSMENT TREATMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION MAY

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**HOLD THE CASE SUB CURIA PENDING RECEIPT OF PROOF OF COMPLETION OF
THE ASSESSMENT OR TREATMENT.**

(5)".