

HB0390/475466/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 390
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “participate” insert “, for a certain period of time.”; in line 6, after “date” insert “; repealing certain provisions of law that prohibit the program from applying to certain individuals; requiring the Governor’s Office of Crime Control and Prevention to conduct a certain annual study and to provide a certain annual report”; and in line 7, after “Act” insert “; providing for the termination of this Act”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“BY adding to

Article - Tax - General

Section 13-941

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 3

On page 2, in line 26, strike “(a) **(1)**”; and in line 27, strike the first set of brackets.

On page 3, strike in their entirety lines 11 through 14, inclusive.

AMENDMENT NO. 4

On page 4, after line 13, insert:

“**13-941.**”

(Over)

(A) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION, IN CONSULTATION WITH THE COMPTROLLER, SHALL:

(1) STUDY:

(I) THE TOTAL NUMBER OF TAX REFUNDS WITHHELD BY THE COMPTROLLER UNDER TITLE 13, SUBTITLE 9, PART VII OF THE TAX – GENERAL ARTICLE;

(II) THE AVERAGE AMOUNT OF THE TAX REFUNDS WITHHELD BY THE COMPTROLLER;

(III) THE POTENTIAL DIFFERENCES IN THE SERVICE OF WARRANTS OR REQUESTS BY WARRANT OFFICIALS TO THE COMPTROLLER TO WITHHOLD TAX REFUNDS UNDER THE PROGRAM BASED ON RACE;

(IV) THE TYPES OF WARRANTS AND SPECIFIC CHARGES THAT PROMPTED THE REQUESTS BY WARRANT OFFICIALS TO THE COMPTROLLER TO WITHHOLD REFUNDS, INCLUDING WARRANTS RELATED TO CRIMINAL VIOLATIONS, CIVIL MATTERS, MOTOR VEHICLE VIOLATIONS, AND FAILURES TO APPEAR;

(V) THE EFFECTIVENESS OF WITHHOLDING REFUNDS ON RESOLVING OUTSTANDING WARRANTS IN EACH JURISDICTION OF THE STATE;
AND

(VI) WHETHER ANY WITHHELD REFUNDS WERE CONTESTED;
AND

(2) MAKE RECOMMENDATIONS REGARDING CONTINUED IMPLEMENTATION OF THE PROGRAM IN A MANNER THAT ENSURES THAT THE PROGRAM DOES NOT DISPARATELY IMPACT INDIVIDUALS ON RACIAL GROUNDS.

(B) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY."

AMENDMENT NO. 5

On page 5, in line 13, after the period insert "It shall remain effective for a period of 3 years and, at the end of September 30, 2019, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect."