

**HB0436/662217/1**

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 436

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “McComas and Waldstreicher” and substitute “McComas, Waldstreicher, DeBoy, Eckardt, Elliott, Frank, George, Haddaway, James, Kipke, Krebs, Levy, McConkey, Miller, Myers, Norman, O’Donnell, Schuh, Shank, Shewell, Sophocleus, Stocksdales, and Wood”; strike beginning with “changing” in line 3 down through “felony” in line 4 and substitute “altering the definition of “sexual conduct” for purposes of certain child pornography provisions to include displaying the genitals of an individual for purposes of sexual arousal or gratification; increasing the penalties for possessing a film, videotape, photograph, or other visual representation depicting a minor engaged in certain activity or in a certain state; making the possession of child pornography a felony under certain circumstances”; and in line 7, after “Section” insert “11-201(f) and”.

AMENDMENT NO. 2

On page 1, after line 12, insert:

“11-201.

(f) (1) “Sexual conduct” has the meaning stated in § 11-101 of this title.

(2) “SEXUAL CONDUCT” INCLUDES THE DISPLAY OF THE GENITALS OF AN INDIVIDUAL FOR PURPOSES OF SEXUAL AROUSAL OR GRATIFICATION.”.

AMENDMENT NO. 3

(Over)

On page 1, in line 20, strike “A” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**”; in the same line, strike the brackets; in the same line, strike “**FELONY**”.

On pages 1 and 2, strike beginning with the colon in line 21 on page 1 down through “violation,” in line 1 on page 2.

On page 2, in line 1, strike “2” and substitute “**5**”; in line 2, strike “; and” and substitute a period; and strike line 3 in its entirety and substitute:

**“(2) A PERSON WHO VIOLATES THIS SECTION, HAVING PREVIOUSLY BEEN CONVICTED UNDER THIS SECTION ONE OR MORE TIMES, IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS”.**