

HB1613/312316/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1613
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; strike beginning with “Removal” in line 2 down through “States” in line 3 and substitute “Adverse Immigration Action”; in line 6, after “that” insert “an adverse immigration action will be initiated against”; in the same line, strike “will be removed from the United States”; in line 9, after the second “that” insert “an adverse immigration action will be initiated against”; strike beginning with “will” in line 9 down through “States” in line 10; in lines 13 and 19, in each instance, strike “case of removal from the United States of” and substitute “event of an adverse immigration action being initiated against”; in line 21, after “that” insert “an adverse immigration action is initiated against”; in the same line, strike “is removed from the United States”; in line 23, strike “order of removal from the United States” and substitute “official document related to an adverse immigration action”; in line 27, after the semicolon insert “defining a certain term; making this Act an emergency measure”; and in the same line, strike “removal from the United States” and substitute “adverse immigration actions”.

On pages 1 and 2, strike in their entirety the lines beginning with line 29 on page 1 through line 3 on page 2.

On page 2, in line 6, strike “13–901(e)” and substitute “13–901”; and after line 8, insert:

“BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 13–902

Annotated Code of Maryland
(2017 Replacement Volume)”.

(Over)

AMENDMENT NO. 2

On page 2, after line 13, insert:

“(b) “ADVERSE IMMIGRATION ACTION” INCLUDES:

(1) DETAINMENT FOR PURPOSES OF IMMIGRATION ENFORCEMENT BY IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICERS OR ANY OTHER FEDERAL, STATE, OR LOCAL AGENCY OR OFFICIAL CHARGED WITH IMMIGRATION ENFORCEMENT;

(2) DEPORTATION FROM THE UNITED STATES; OR

(3) THE IMPOSITION OF VOLUNTARY DEPARTURE IN LIEU OF FORMAL DEPORTATION AS PROVIDED FOR UNDER THE IMMIGRATION AND NATIONALITY ACT.

(C) (1) “Attending physician” means a physician who has primary responsibility for the treatment and care of a parent described under this subtitle.

(2) If more than one physician shares the responsibility for the treatment and care of a parent or if another physician is acting on the attending physician’s behalf, any physician described in this paragraph may act as the attending physician under this subtitle.

(3) If no physician has responsibility for the treatment and care of a parent, any physician who is familiar with the parent’s medical condition may act as the attending physician under this subtitle.

~~[(c)]~~ **(D)** (1) “Debilitation” means a person’s chronic and substantial inability, as a result of a physically incapacitating illness, disease, or injury, to care for the person’s dependent minor child.

(2) “Debilitated” means the state of having a debilitation.

~~[(d)]~~ **(E)** (1) “Incapacity” means a person’s chronic and substantial inability, as a result of mental impairment, to understand the nature and consequences of decisions concerning the care of the person’s dependent minor child, and a consequent inability to care for the child.

(2) “Incapacitated” means the state of having an incapacity.”;

in line 14, strike “(e)” and substitute “**(F)**”; in line 17, strike “, REMOVAL FROM THE UNITED STATES,”; in the same line, after “parent,” insert “ON THE INITIATION OF AN ADVERSE IMMIGRATION ACTION AGAINST THE MINOR’S PARENT,”; in lines 21 and 22, strike “ON THE REMOVAL FROM THE UNITED STATES AND CONSENT OF THE PARENT, OR”; and in line 22, after “parent” insert “, OR ON THE INITIATION OF AN ADVERSE IMMIGRATION ACTION AGAINST THE PARENT AND THE CONSENT OF THE PARENT”.

On page 3, in lines 7 and 8, strike “ON THE PETITIONER’S REMOVAL FROM THE UNITED STATES,”; in line 8, after “first” insert “, OR ON THE INITIATION OF AN ADVERSE IMMIGRATION ACTION AGAINST THE PETITIONER”; in line 9, after “that” insert “, WITHIN 2 YEARS AFTER THE FILING OF THE PETITION,”; in lines 10 and 15, in each instance, strike “, BE REMOVED FROM THE UNITED STATES,”; in line 10, after “applicable,” insert “OR THAT THERE WILL BE AN ADVERSE IMMIGRATION ACTION INITIATED AGAINST THE PETITIONER,”; in lines 10 and 11, strike “within 2 years of the filing of the petition,”; in line 14, after the second “that” insert “, WITHIN 2 YEARS AFTER THE FILING OF THE PETITION,”; in line 15, after “die” insert “, OR THAT AN

(Over)

ADVERSE IMMIGRATION ACTION WILL BE INITIATED AGAINST THE PETITIONER,"; strike beginning with "within" in line 15 down through "petition" in line 16; in line 21, after "on" insert ":

1. THE;

in the same line, strike the first "the"; in lines 21 and 22, strike "ON THE RECEIPT OF AN ORDER OF REMOVAL FROM THE UNITED STATES,"; and in line 23, after the semicolon insert "OR

2. THE RECEIPT OF AN OFFICIAL DOCUMENT INDICATING THAT AN ADVERSE IMMIGRATION ACTION HAS BEEN INITIATED AGAINST THE PETITIONER;".

On page 4, in line 16, strike "ORDER OF REMOVAL FROM THE UNITED STATES OF" and substitute "OFFICIAL DOCUMENT INDICATING THAT AN ADVERSE IMMIGRATION ACTION HAS BEEN INITIATED AGAINST"; in lines 18 and 20, in each instance, strike "ORDER OF REMOVAL" and substitute "OFFICIAL DOCUMENT"; and in line 21, strike "ORDER" and substitute "OFFICIAL DOCUMENT".

On page 6, strike in their entirety lines 10 and 11; in line 12, strike the brackets; in the same line, strike "(III)"; in line 13, after "authority" insert ";OR

(III) IS SUBJECT TO AN ADVERSE IMMIGRATION ACTION AND CONSENTS TO THE BEGINNING OF THE STANDBY GUARDIAN'S AUTHORITY";

and in line 30, strike "I HAVE BEEN REMOVED FROM THE UNITED STATES" and substitute "AN ADVERSE IMMIGRATION ACTION HAS BEEN INITIATED AGAINST ME".

HB1613/312316/1 House Judiciary Committee
Amendments to HB 1613
Page 5 of 5

On page 8 in lines 13 and 14, and on page 9 in lines 14 and 26, in each instance, strike “**ORDER OF REMOVAL FROM THE UNITED STATES**” and substitute “**OFFICIAL DOCUMENT RELATED TO AN ADVERSE IMMIGRATION ACTION**”.

On page 10, strike beginning with “**ORDER**” in line 14 down through “**ISSUED**” in line 15 and substitute “**ADVERSE IMMIGRATION ACTION HAS BEEN INITIATED**”.

On page 11, strike in their entirety lines 12 and 13 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.