

SENATE BILL 379

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4lr1114

By: **Senators West, Carozza, Watson, Klausmeier, and James**

Introduced and read first time: January 17, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Crime Classification – Renaming, Membership, and Duties**

3 FOR the purpose of renaming the Task Force to Study Crime Classification to be the Task
4 Force to Study Crime Reclassification and Penalties; altering the membership of the
5 Task Force; altering the duties of the Task Force from studying certain issues related
6 to the classification of criminal and civil violations to studying penalties for those
7 violations, the possible need to reclassify certain crimes, and the need for potential
8 changes relating to crimes lacking a specific mens rea; and generally relating to the
9 Task Force to Study Crime Classification.

10 BY repealing and reenacting, with amendments,
11 Chapter 712 of the Acts of the General Assembly of 2023
12 Section 1 and 2

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

Chapter 712 of the Acts of 2023

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That:

18 (a) There is a Task Force to Study Crime [Classification] **RECLASSIFICATION**
19 **AND PENALTIES.**

20 (b) The Task Force consists of the following members:

21 (1) one member appointed by the Chair of the Senate Judicial Proceedings
22 Committee;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) one member appointed by the Chair of the House Judiciary Committee;

2 (3) the Attorney General, or the Attorney General's designee;

3 (4) the President of the Maryland State's Attorneys' Association, or the
4 President's designee;

5 (5) the Public Defender, or the Public Defender's designee;

6 (6) the Executive Director of the Maryland Network Against Domestic
7 Violence, or the Executive Director's designee; [and]

8 **(7) THE EXECUTIVE DIRECTOR OF THE MARYLAND SENTENCING**
9 **COMMISSION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**

10 **(8) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF**
11 **CRIME PREVENTION, YOUTH, AND VICTIM SERVICES, OR THE EXECUTIVE**
12 **DIRECTOR'S DESIGNEE; AND**

13 **[(7)] (9)** the following members appointed by the President of the
14 Maryland State Bar Association:

15 (i) one member of the State Bar with expertise in victims' rights;
16 and

17 (ii) one member of the State Bar who is a member of the Criminal
18 Law Section of the Association.

19 (c) The Chair of the Senate Judicial Proceedings Committee and Chair of the
20 House Judiciary Committee shall designate the chair of the Task Force.

21 (d) The Office of the Attorney General shall provide staff for the Task Force.

22 (e) A member of the Task Force:

23 (1) may not receive compensation as a member of the Task Force; but

24 (2) is entitled to reimbursement for expenses under the Standard State
25 Travel Regulations, as provided in the State budget.

26 (f) The Task Force shall:

27 **[(1)** study and make recommendations regarding a method for classifying
28 crimes and civil offenses under State law; and

29 (2) identify and logically categorize all crimes and civil offenses that exist

1 under State law.]

2 **(1) REVIEW THE PENALTIES FOR ALL CRIMINAL AND CIVIL**
3 **VIOLATIONS IN THE CRIMINAL LAW ARTICLE, CRIMINAL PROCEDURE ARTICLE,**
4 **PUBLIC SAFETY ARTICLE, AND MARYLAND SENTENCING GUIDELINES; AND**

5 **(2) MAKE RECOMMENDATIONS REGARDING THE CURRENT SCHEME**
6 **FOR CRIMINAL AND CIVIL VIOLATIONS IN THE CRIMINAL LAW ARTICLE, CRIMINAL**
7 **PROCEDURE ARTICLE, PUBLIC SAFETY ARTICLE, AND MARYLAND SENTENCING**
8 **GUIDELINES, INCLUDING:**

9 **(I) WHETHER VIOLATIONS SHOULD BE CATEGORIZED BY**
10 **CLASSES OF MISDEMEANOR AND FELONY TO CORRESPOND WITH THE SEVERITY OF**
11 **OFFENSES;**

12 **(II) WHETHER THERE ARE VIOLATIONS THAT SHOULD BE**
13 **RECLASSIFIED AS CIVIL OFFENSES, MISDEMEANORS, OR FELONIES;**

14 **(III) WHETHER THERE ARE PENALTIES THAT SHOULD BE**
15 **ALTERED BECAUSE THEY ARE DISPROPORTIONATELY LENIENT OR SEVERE;**

16 **(IV) WHETHER REMAINING COMMON LAW OFFENSES SHOULD BE**
17 **CODIFIED; AND**

18 **(V) WHETHER STATUTORY CHANGES ARE NEEDED FOR**
19 **PROVISIONS OF CRIMINAL LAW THAT LACK AN EXPLICIT MENS REA.**

20 (g) On or before December 31, [2023] **2025**, the Task Force shall report its
21 findings and recommendations to the Governor and, in accordance with § 2-1257 of the
22 State Government Article, the General Assembly.

23 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June**
24 **1, 2023. It shall remain effective for a period of [1 year] 3 YEARS and 1 month and, at the**
25 **end of June 30, [2024] 2026, this Act, with no further action required by the General**
26 **Assembly, shall be abrogated and of no further force and effect.**

27 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June**
28 **1, 2024.**