

# SENATE BILL 938

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8lr0672  
CF HB 122

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By: **Senator Kelley**

Introduced and read first time: February 5, 2018

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Sentencing Guidelines – Previously Adjudicated**  
3 **Delinquent**

4 FOR the purpose of repealing the requirement that certain sentencing guidelines adopted  
5 by the State Commission on Criminal Sentencing Policy set forth a range of  
6 increased severity for defendants who have been previously adjudicated delinquent;  
7 making a technical change; and generally relating to criminal sentencing.

8 BY repealing and reenacting, with amendments,  
9 Article – Criminal Procedure  
10 Section 6–208  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2017 Supplement)

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

### 15 **Article – Criminal Procedure**

16 6–208.

17 (a) (1) The Commission shall adopt sentencing guidelines that the  
18 Commission may change.

19 (2) The sentencing guidelines shall include sentencing guidelines for  
20 ordinary sentences and sentencing guidelines for corrections options.

21 (b) The sentencing guidelines for ordinary sentences shall call for sentences  
22 within the limits set by law and shall set forth:

23 (1) the range of sentences for crimes of a given degree of seriousness;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   (2)     a range of increased severity for defendants previously convicted of [or  
2 adjudicated delinquent for] a [previous] crime; and

3                   (3)     a list of aggravating and mitigating circumstances.

4                   (c)     The sentencing guidelines for corrections options shall be designed to identify  
5 defendants qualified for corrections options programs.

6                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2018.