
By: **Delegates O'Donnell, Murphy, Getty, Amedori, Giannetti, Cole,
Boschert, Petzold, Dembrow, K. Kelly, Burns, Doory, Menes, Barkley,
Hutchins, and Vallario**

Introduced and read first time: February 19, 2001
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Commission on Criminal Sentencing Policy - Annual Report**

3 FOR the purpose of requiring the annual report of the State Commission on Criminal
4 Sentencing Policy to include information on certain sentences altered as a result
5 of a reconsideration of sentence; requiring the report to categorize information
6 on the number of reconsiderations of sentence granted by offense and judicial
7 circuit; requiring the annual report to identify certain sentences that do not
8 comply with the sentencing guidelines as a result of a reconsideration of
9 sentence; and generally relating to the annual report of the State Commission
10 on Criminal Sentencing Policy.

11 BY repealing and reenacting, with amendments,
12 Article 41 - Governor - Executive and Administrative Departments
13 Section 21-106(d)
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 2000 Supplement)

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

18 **Article 41 - Governor - Executive and Administrative Departments**

19 21-106.

20 (d) (1) The Commission shall undertake an annual review of sentencing
21 policy and practice and make a report to the General Assembly in accordance with §
22 2-1246 of the State Government Article on or before December 1 of each year.

23 (2) The annual report shall include any changes to the guidelines made
24 during the preceding year.

25 (3) (i) The annual report shall review judicial compliance with the
26 guidelines, including compliance by offense and by judicial circuit.

1 (ii) In determining whether a sentence is within the guidelines, the
2 Commission shall consider a sentence to a corrections options program as being
3 within the guidelines if the sentence falls within a corrections options zone shown on
4 the matrix.

5 (4) (I) THE ANNUAL REPORT SHALL REVIEW REDUCTIONS OR
6 INCREASES IN ORIGINAL SENTENCES RESULTING FROM VIOLATIONS OF ARTICLE 27,
7 SECTION 643B THAT HAVE OCCURRED AS A RESULT OF A RECONSIDERATION OF
8 SENTENCE.

9 (II) THE REPORT SHALL CATEGORIZE INFORMATION ON THE
10 NUMBER OF RECONSIDERATIONS OF SENTENCES GRANTED BY ARTICLE 27, SECTION
11 643B OFFENSE AND BY JUDICIAL CIRCUIT.

12 (III) THE REPORT SHALL IDENTIFY ARTICLE 27, SECTION 643B
13 SENTENCES THAT ARE NO LONGER IN COMPLIANCE WITH THE GUIDELINES AS A
14 RESULT OF A RECONSIDERATION OF SENTENCE.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2001.