

HOUSE BILL 709

E1

3lr2242
CF SB 444

By: **Delegates McDermott, Afzali, Clippinger, Cluster, Hogan, McComas, Mitchell, and Otto**

Introduced and read first time: February 4, 2013

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Accessory After the Fact – Murder**

3 FOR the purpose of altering the maximum penalties for being an accessory after the
4 fact to murder in the first and second degree; providing for the application of
5 this Act; and generally relating to the crime of accessory after the fact.

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 1–301
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2012 Supplement)

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

13 **Article – Criminal Law**

14 1–301.

15 **(A)** Unless otherwise provided by law **AND EXCEPT AS PROVIDED IN**
16 **SUBSECTION (B) OF THIS SECTION**, a person who is convicted of being an accessory
17 after the fact to a felony is guilty of a felony and on conviction is subject to the lesser
18 of:

19 (1) imprisonment not exceeding 5 years; or

20 (2) a penalty not exceeding the maximum penalty provided by law for
21 committing the underlying felony.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) A PERSON WHO IS CONVICTED OF BEING AN ACCESSORY**
2 **AFTER THE FACT TO MURDER IN THE FIRST DEGREE IS GUILTY OF A FELONY**
3 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS.**

4 **(2) A PERSON WHO IS CONVICTED OF BEING AN ACCESSORY**
5 **AFTER THE FACT TO MURDER IN THE SECOND DEGREE IS GUILTY OF A FELONY**
6 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
8 construed to apply only prospectively and may not be applied or interpreted to have
9 any effect on or application to any offense committed before the effective date of this
10 Act.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2013.