## **HOUSE BILL 1393**

R3 6lr3059

By: Delegates Glass, McDonough, and Metzgar

Introduced and read first time: February 12, 2016

Assigned to: Judiciary

## A BILL ENTITLED

1 AN ACT concerning

2	Vehicle Laws – Drunk Driving – Mandatory Minimum Sentences
3 4	FOR the purpose of establishing certain mandatory minimum periods of imprisonment for certain subsequent alcohol—related driving offenses; and generally relating to certain
5 6	mandatory minimum sentences for certain subsequent alcohol-related driving offenses.
7	BY repealing and reenacting, without amendments,
8	Article – Criminal Procedure
9	Section 6–220(b)(1)
10	Annotated Code of Maryland

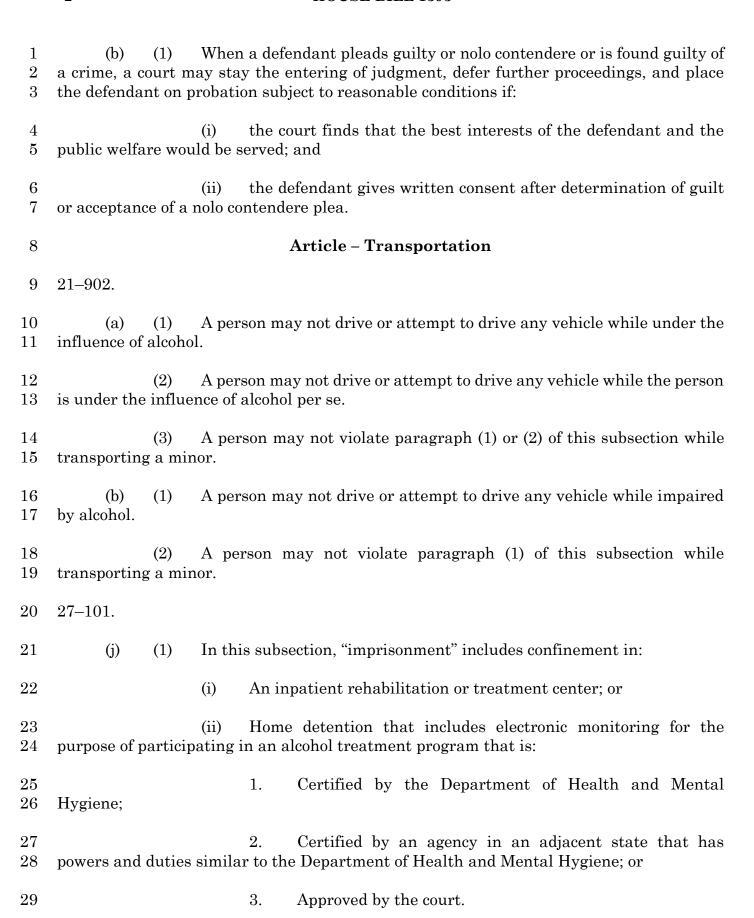
12 BY repealing and reenacting, without amendments,

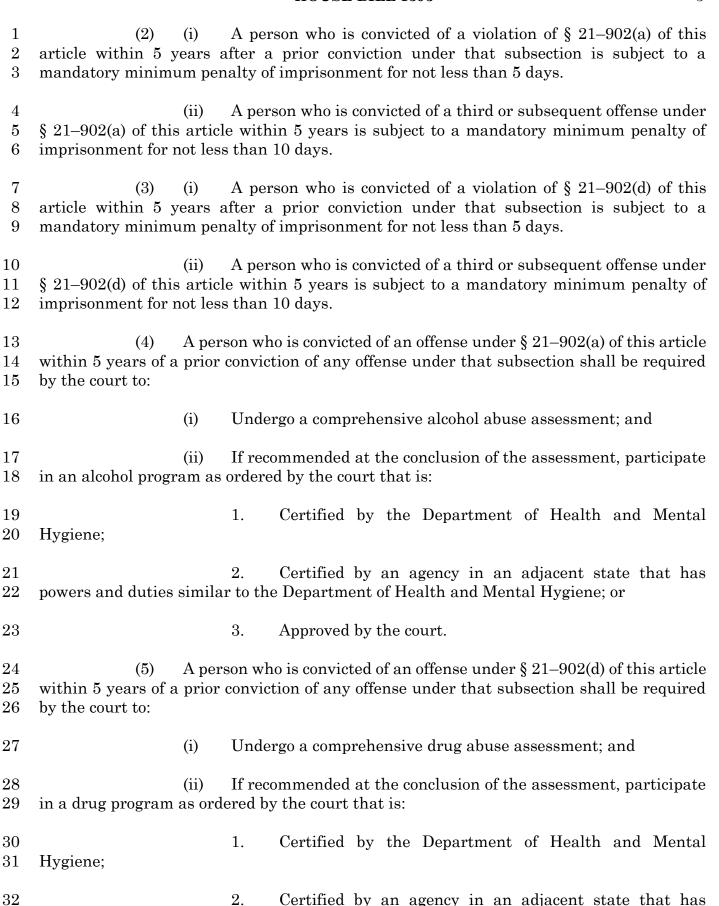
(2008 Replacement Volume and 2015 Supplement)

- 13 Article Transportation
- 14 Section 21–902(a) and (b)
- 15 Annotated Code of Maryland
- 16 (2012 Replacement Volume and 2015 Supplement)
- 17 BY repealing and reenacting, with amendments,
- $18 \hspace{1cm} Article-Transportation \\$
- 19 Section 27–101(j)
- 20 Annotated Code of Maryland
- 21 (2012 Replacement Volume and 2015 Supplement)
- 22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 23 That the Laws of Maryland read as follows:
- 24 Article Criminal Procedure
- 25 6–220.

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powers and duties similar to the Department of Health and Mental Hygiene; or

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9	Approved by the court
-ā	Approved by the court
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- 2 (6) ANY PERSON WHO IS CONVICTED OF A VIOLATION OF ANY OF THE 3 PROVISIONS OF § 21–902(A) OF THIS ARTICLE ("DRIVING WHILE UNDER THE 4 INFLUENCE OF ALCOHOL OR UNDER THE INFLUENCE OF ALCOHOL PER SE"):
- 5 (I) WITHIN 3 YEARS AFTER THE PLACEMENT OF THE PERSON
  6 ON PROBATION UNDER § 6–220 OF THE CRIMINAL PROCEDURE ARTICLE FOR ANY
  7 VIOLATION OF § 21–902(A) OR (B) OF THIS ARTICLE, SHALL BE SUBJECT TO A
  8 MANDATORY MINIMUM SENTENCE OF 3 MONTHS' IMPRISONMENT; AND
- 9 (II) WITHIN 3 YEARS AFTER A PRIOR CONVICTION OF THE 10 PERSON FOR ANY VIOLATION OF § 21–902(A) OR (B) OF THIS ARTICLE, SHALL BE 11 SUBJECT TO A MANDATORY MINIMUM SENTENCE OF 6 MONTHS' IMPRISONMENT.
- 12 **(7)** The penalties provided by this subsection are mandatory and are not subject to suspension or probation.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.