

# SENATE BILL 316

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8lr1814

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By: **Senator Lee**

Introduced and read first time: January 23, 2018

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Continuing Course of Conduct With a Child – Unit of**  
3 **Prosecution**

4 FOR the purpose of establishing that a unit of prosecution for a continuing course of  
5 unlawful sexual conduct with a victim under the age of 14 years includes a certain  
6 number of acts that would constitute certain criminal violations over a certain period  
7 of time; and generally relating to the crime of continuing course of conduct with a  
8 child.

9 BY repealing and reenacting, with amendments,  
10 Article – Criminal Law  
11 Section 3–315  
12 Annotated Code of Maryland  
13 (2012 Replacement Volume and 2017 Supplement)

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

16 **Article – Criminal Law**

17 3–315.

18 (a) A person may not engage in a continuing course of conduct which includes  
19 three [or more] acts that would constitute violations of § 3–303, § 3–304, or § 3–307 of this  
20 subtitle, or violations of § 3–305 or § 3–306 of this subtitle as the sections existed before  
21 October 1, 2017, over a period of 90 days or more, with a victim who is under the age of 14  
22 years at any time during the course of conduct.

23 (b) (1) A person who violates this section is guilty of a felony and on conviction  
24 is subject to imprisonment not exceeding 30 years.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) A sentence imposed under this section may be separate from and  
2 consecutive to or concurrent with a sentence under § 3–602 of this title.

3           (c) In determining whether the required number of acts occurred in violation of  
4 this section, the trier of fact:

5           (1) must determine only that the required number of acts occurred; and

6           (2) need not determine which acts constitute the required number of acts.

7           (d) (1) A person may not be charged with a violation of § 3–303, § 3–304, or §  
8 3–307 of this subtitle involving the same victim in the same proceeding as a violation of  
9 this section unless the other violation charged occurred outside the time period charged  
10 under this section.

11           (2) A person may not be charged with a violation of § 3–303, § 3–304, or §  
12 3–307 of this subtitle involving the same victim unless the violation charged occurred  
13 outside the time period charged under this section.

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