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HB 601/00 - JUD

2001 Regular Session
1lr1607

By: **Delegates Dembrow and Elliott**
Introduced and read first time: February 1, 2001
Assigned to: Judiciary

Committee Report: Favorable
House action: Adopted with floor amendments
Read second time: March 13, 2001

CHAPTER_____

1 AN ACT concerning

2 **Criminal Procedure - Sex Offender Registration - Retroactive Application**

3 FOR the purpose of requiring the registration of certain sex offenders and other
4   offenders subject to registration requirements to be applied retroactively under
5   certain circumstances; making the provisions of this Act severable; and
6   generally relating to registration of sex offenders and other offenders.

7 BY adding to
8   Article - Criminal Procedure
9   Section 11-702.1
10   Annotated Code of Maryland
11   (As enacted by Chapter_____(S.B. 1) of the Acts of the General Assembly of 2001)

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

14   **Article - Criminal Procedure**

15 11-702.1.

16   (A)   NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,
17 EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THIS SUBTITLE SHALL
18 BE APPLIED RETROACTIVELY TO INCLUDE A REGISTRANT CONVICTED OF AN
19 OFFENSE COMMITTED ~~ON OR~~ BEFORE JULY 1, 1997, AND WHO IS UNDER THE
20 CUSTODY OR SUPERVISION OF A SUPERVISING AUTHORITY ON OCTOBER 1, 2001.

21   (B)   NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,
22 THIS SUBTITLE SHALL BE APPLIED RETROACTIVELY TO A CHILD SEXUAL OFFENDER

1 WHO COMMITTED THE SEXUAL OFFENSE <u>ON OR</u> BEFORE OCTOBER 1, 1995, AND WHO
2 IS UNDER THE CUSTODY OR SUPERVISION OF A SUPERVISING AUTHORITY ON
3 OCTOBER 1, 2001.

4   SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this
5 Act or the application thereof to any person or circumstance is held invalid for any
6 reason in a court of competent jurisdiction, the invalidity does not affect other
7 provisions or any other application of this Act which can be given effect without the
8 invalid provision or application, and for this purpose the provisions of this Act are
9 declared severable.

10   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2001.