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

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Re-referred to: Judiciary, March 5, 2001

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 18, 2001

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CHAPTER \_\_\_\_\_

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:

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

2 21-106.

3 (d) (1) The Commission shall undertake an annual review of sentencing  
4 policy and practice and make a report to the General Assembly in accordance with §  
5 2-1246 of the State Government Article on or before December 1 of each year.

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

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

10 (ii) In determining whether a sentence is within the guidelines, the  
11 Commission shall consider a sentence to a corrections options program as being  
12 within the guidelines if the sentence falls within a corrections options zone shown on  
13 the matrix.

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

18 (II) THE REPORT SHALL CATEGORIZE INFORMATION ON THE  
19 NUMBER OF RECONSIDERATIONS OF SENTENCES GRANTED BY ARTICLE 27, SECTION  
20 643B OFFENSE AND BY JUDICIAL CIRCUIT.

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

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