

SENATE BILL 41

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2002 Regular Session
2lr0237

(PRE-FILED)

By: **Senator DeGrange**
Requested: July 2, 2001
Introduced and read first time: January 9, 2002
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Sexual Offender Registration - Out-of-State**
3 **Convictions**

4 FOR the purpose of altering certain definitions to include in the definition of
5 "sexually violent offense" certain crimes committed in certain jurisdictions that,
6 if committed in this State, would constitute certain offenses; and generally
7 relating to sexual offender registration and out-of-state convictions.

8 BY repealing and reenacting, without amendments,
9 Article - Criminal Procedure
10 Section 11-701(a) and (h)
11 Annotated Code of Maryland
12 (2001 Volume)

13 BY repealing and reenacting, with amendments,
14 Article - Criminal Procedure
15 Section 11-701(f) and (g)
16 Annotated Code of Maryland
17 (2001 Volume)

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

20 **Article - Criminal Procedure**

21 11-701.

22 (a) In this subtitle the following words have the meanings indicated.

23 (f) "Sexually violent offender" means a person who:

24 (1) has been convicted of a sexually violent offense; OR

1 (2) has been convicted of an attempt to commit a sexually violent
2 offense[; or

3 (3) has been convicted in another state or in a federal, military, or Native
4 American tribal court of a crime that, if committed in this State, would constitute a
5 sexually violent offense].

6 (g) "Sexually violent offense" means:

7 (1) a violation of Article 27, § 462, § 463, § 464, § 464A, § 464B, or § 464F
8 of the Code; [or]

9 (2) assault with intent to commit rape in the first or second degree or a
10 sexual offense in the first or second degree as prohibited on or before September 30,
11 1996, under former Article 27, § 12 of the Code; OR

12 (3) A CRIME COMMITTED IN ANOTHER STATE OR IN A FEDERAL,
13 MILITARY, OR NATIVE AMERICAN TRIBAL JURISDICTION THAT, IF COMMITTED IN
14 THIS STATE, WOULD CONSTITUTE ONE OF THE CRIMES LISTED IN PARAGRAPH (1) OR
15 (2) OF THIS SUBSECTION.

16 (h) "Sexually violent predator" means a person who:

17 (1) is convicted of a subsequent sexually violent offense; and

18 (2) has been determined in accordance with this subtitle to be at risk of
19 committing another sexually violent offense.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2002.