

SENATE BILL 162

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2002 Regular Session
2r1310
CF 2r1311

By: **Senator Stone (Task Force to Examine Maryland's Crime Victims' Rights Laws)**

Introduced and read first time: January 15, 2002

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Victims' Rights - Right to Restitution - Leave to Appeal**

3 FOR the purpose of authorizing the State to file for leave to appeal to the Court of
4 Special Appeals from an interlocutory or final order that denies or fails to
5 consider certain rights to restitution to a victim under certain circumstances;
6 and generally relating to a victim's right to restitution and leave to appeal.

7 BY repealing and reenacting, with amendments,
8 Article - Courts and Judicial Proceedings
9 Section 12-302(c)
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 2001 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article - Criminal Procedure
14 Section 11-103(a)
15 Annotated Code of Maryland
16 (2001 Volume)

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

19 **Article - Courts and Judicial Proceedings**

20 12-302.

21 (c) In a criminal case, the State may appeal as provided in this subsection.

22 (1) The State may appeal from a final judgment granting a motion to
23 dismiss or quashing or dismissing any indictment, information, presentment, or
24 inquisition.

25 (2) The State may appeal from a final judgment if the State alleges that
26 the trial judge failed to impose the sentence specifically mandated by the Code.

1 (2) "Violent crime" does not include an offense under the Maryland
2 Vehicle Law or under Title 8, Subtitle 7 of the Natural Resources Article unless the
3 offense is punishable by imprisonment.

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