

---

By: **Senators Ferguson, Colburn, Collins, Harris, Hooper, Jacobs, Jimeno,  
and Mooney**

Introduced and read first time: February 11, 2002

Assigned to: Rules

---

A BILL ENTITLED

1 AN ACT concerning

2 **Christopher's Law IV - Revisory Power of Courts - Limitations**

3 FOR the purpose of authorizing a defendant who seeks a court to revise, modify, or  
4 reduce a sentence to file a certain motion within a certain period; limiting to a  
5 certain period the revisory power of courts over sentencing; requiring a decision  
6 that changes the original sentence to be in writing and state the reasons for the  
7 decision; allowing a motion to revise, modify, or reduce the sentence to be filed at  
8 any time in a case involving fraud, mistake, irregularity, or an illegal sentence;  
9 prohibiting the filing of a motion to revise, modify, or reduce a sentence in  
10 certain cases involving convictions for certain sexual crimes committed against  
11 children under a certain age, subject to a certain exception; and generally  
12 relating to the revisory power of a court in sentencing.

13 BY adding to  
14 Article - Criminal Procedure  
15 Section 6-229  
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 6-229.

22 (A) EXCEPT AS PROVIDED IN SUBSECTIONS (D) AND (E) OF THIS SECTION, A  
23 DEFENDANT MAY FILE A MOTION TO REVISE, MODIFY, OR REDUCE A SENTENCE  
24 WITHIN 90 DAYS AFTER THE SENTENCE IS IMPOSED.

25 (B) THE COURT RETAINS REVISORY POWER OVER THE SENTENCE FOR 1 YEAR  
26 AFTER THE FILING OF THE MOTION TO REVISE, MODIFY, OR REDUCE THE SENTENCE.

1 (C) A DECISION THAT CHANGES THE ORIGINAL SENTENCE SHALL BE IN  
2 WRITING AND STATE THE REASONS FOR THE DECISION.

3 (D) A MOTION TO REVISE, MODIFY, OR REDUCE THE SENTENCE MAY BE FILED  
4 AT ANY TIME IN A CASE INVOLVING FRAUD, MISTAKE, IRREGULARITY, OR AN  
5 ILLEGAL SENTENCE.

6 (E) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A MOTION TO  
7 REVISE, MODIFY, OR REDUCE A SENTENCE IS PROHIBITED IN ANY CASE OF RAPE IN  
8 THE FIRST OR SECOND DEGREE, OR SEXUAL OFFENSE IN THE FIRST OR SECOND  
9 DEGREE, COMMITTED AGAINST A CHILD UNDER THE AGE OF 16 YEARS.

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