
By: **Delegates Amedori, O'Donnell, and Sophocleus**
Introduced and read first time: February 3, 2003
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts - Criminal Cases - State's Right of Appeal**

3 FOR the purpose of authorizing the State to appeal from a final judgment in a
4 criminal case if the State alleges that the trial judge imposed or modified a
5 sentence in violation of the Maryland Rules; providing for the application of this
6 Act; and generally relating to the State's right to appeal from a final judgment
7 in a criminal case.

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 12-302(c)(2)
11 Annotated Code of Maryland
12 (2002 Replacement Volume)

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

15 **Article - Courts and Judicial Proceedings**

16 12-302.

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

18 (2) The State may appeal from a final judgment if the State alleges that
19 the trial judge failed to impose the sentence specifically mandated by the Code OR
20 IMPOSED OR MODIFIED A SENTENCE IN VIOLATION OF THE MARYLAND RULES.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
22 any appeal pending or filed by the State on or after the effective date of this Act.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2003.