
By: **Senators Jacobs, Colburn, Hooper, Kelley, Lawlah, Mooney, Stone, and Teitelbaum**

Introduced and read first time: January 23, 2006

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Sentence Review - Child Sexual Offender - Prohibition**

3 FOR the purpose of prohibiting a sentence review by a certain review panel for a
4 sentence that was imposed as a result of a person's conviction as a child sexual
5 offender; and generally relating to sentence reviews and child sexual offenders.

6 BY repealing and reenacting, with amendments,
7 Article - Criminal Procedure
8 Section 8-102
9 Annotated Code of Maryland
10 (2001 Volume and 2005 Supplement)

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

13 **Article - Criminal Procedure**

14 8-102.

15 (a) Except as provided in subsection (b) of this section, a person convicted of a
16 crime by a circuit court and sentenced to serve a sentence that exceeds 2 years in a
17 correctional facility is entitled to a single sentence review by a review panel.

18 (b) A person is not entitled:

19 (1) to a sentence review if:

20 (I) the sentence was imposed by more than one circuit court judge;

21 or

22 (II) THE SENTENCE WAS IMPOSED AS A RESULT OF THE PERSON'S
23 CONVICTION AS A CHILD SEXUAL OFFENDER AS DEFINED IN § 11-701 OF THIS
24 ARTICLE; OR

1 (2) to a review of an order requiring a suspended part of a sentence to be
2 served if:

3 (i) the sentence originally was wholly or partly suspended;

4 (ii) the sentence was reviewed; and

5 (iii) the suspended sentence or suspended part of that sentence later
6 was required to be served.

7 (c) For purposes of this subtitle, a sentence that exceeds 2 years is a sentence
8 in which the total period of the sentence and any unserved time of a prior or
9 simultaneous sentence exceeds 2 years, including:

10 (1) a sentence imposed by a circuit court;

11 (2) a requirement by a circuit court that all or part of a suspended
12 sentence be served; and

13 (3) a prior or simultaneous sentence, suspended or not suspended, that
14 has been imposed by a court or other authority of the State or of another jurisdiction.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2006.