

HOUSE BILL 565

E2

9lr1967

By: **Delegates Kramer, Kelly, Ramirez, Reznik, Shank, and Smigiel**

Introduced and read first time: February 6, 2009

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 23, 2009

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – State Commission on Criminal Sentencing Policy –**
3 **Reconsideration of Sentence**

4 FOR the purpose of requiring a judge or the judge’s designee, within a certain period
5 of time after ruling on a motion to revise, modify, or reduce the sentence
6 imposed on a defendant for a certain crime of violence, to complete a Maryland
7 sentencing guidelines worksheet reflecting the ruling, and to submit a copy of
8 the completed worksheet to the State Commission on Criminal Sentencing
9 Policy; requiring the Administrative Office of the Courts to adopt regulations to
10 implement this Act on or before a certain date; and generally relating to
11 criminal sentencing policy.

12 BY repealing and reenacting, with amendments,
13 Article – Criminal Procedure
14 Section 6–207
15 Annotated Code of Maryland
16 (2008 Replacement Volume)

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

19 **Article – Criminal Procedure**

20 6–207.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) Each State unit and local governmental unit shall cooperate with the
2 Commission.

3 **(B) (1) WITHIN 30 DAYS AFTER RULING ON A MOTION TO REVISE,**
4 **MODIFY, OR REDUCE THE SENTENCE IMPOSED ON A DEFENDANT FOR A CRIME**
5 **OF VIOLENCE AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, THE**
6 **RULING JUDGE OR THE JUDGE'S DESIGNEE SHALL:**

7 **(I) COMPLETE A MARYLAND SENTENCING GUIDELINES**
8 **WORKSHEET FOR THE CASE REFLECTING THE RULING; AND**

9 **(II) SUBMIT THE COMPLETED WORKSHEET TO THE**
10 **COMMISSION.**

11 **(2) ON OR BEFORE JANUARY 1, 2010, THE ADMINISTRATIVE**
12 **OFFICE OF THE COURTS SHALL ADOPT REGULATIONS TO IMPLEMENT THIS**
13 **SUBSECTION.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2009.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.