

HOUSE BILL 288

E2, E4

0lr1541
CF 0lr1571

By: **Delegates Smigiel, Aumann, Bates, Beitzel, Boteler, Carter, Conaway, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Jennings, Kach, Kelly, Kramer, Krebs, McDonough, Miller, Norman, Schuh, Serafini, Shank, Shewell, Sossi, Stocksdale, and Walkup**

Introduced and read first time: January 27, 2010

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Child Sexual Offenders – Monitoring With Global**
3 **Positioning Satellite Tracking Technology**

4 FOR the purpose of requiring that on conviction for a certain sexual offense involving
5 a minor victim, a person who has not previously been convicted of a certain
6 sexual offense be monitored constantly with global positioning satellite tracking
7 technology during any periods of probation and parole; requiring that on
8 conviction for a certain sexual offense involving a minor victim, a person who
9 has been convicted on a prior occasion not arising out of the same incident of a
10 certain sexual offense be monitored constantly with global positioning satellite
11 tracking technology for life and pay the costs of the monitoring; and generally
12 relating to monitoring of child sexual offenders.

13 BY adding to
14 Article – Criminal Law
15 Section 3–313.1
16 Annotated Code of Maryland
17 (2002 Volume and 2009 Supplement)

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

20 **Article – Criminal Law**

21 **3–313.1.**

22 **(A) ON CONVICTION OF A VIOLATION OF § 3–303, § 3–304, § 3–305, OR §**
23 **3–306 OF THIS SUBTITLE INVOLVING A MINOR VICTIM, A PERSON WHO HAS NOT**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 PREVIOUSLY BEEN CONVICTED OF A VIOLATION OF § 3-303, § 3-304, § 3-305,
2 OR § 3-306 OF THIS SUBTITLE, OR A CRIME COMMITTED IN ANOTHER STATE OR
3 IN A FEDERAL, MILITARY, OR NATIVE AMERICAN TRIBAL JURISDICTION THAT
4 WOULD CONSTITUTE A VIOLATION OF § 3-303, § 3-304, § 3-305, OR § 3-306 OF
5 THIS SUBTITLE IF COMMITTED IN THIS STATE, SHALL BE MONITORED
6 CONSTANTLY WITH GLOBAL POSITIONING SATELLITE TRACKING TECHNOLOGY
7 DURING ANY PERIODS OF PROBATION AND PAROLE.

8 (B) ON CONVICTION OF A VIOLATION OF § 3-303, § 3-304, § 3-305, OR §
9 3-306 OF THIS SUBTITLE INVOLVING A MINOR VICTIM, A PERSON WHO HAS BEEN
10 CONVICTED ON A PRIOR OCCASION NOT ARISING FROM THE SAME INCIDENT OF
11 A VIOLATION OF § 3-303, § 3-304, § 3-305, OR § 3-306 OF THIS SUBTITLE, OR A
12 CRIME COMMITTED IN ANOTHER STATE OR IN A FEDERAL, MILITARY, OR
13 NATIVE AMERICAN TRIBAL JURISDICTION THAT WOULD CONSTITUTE A
14 VIOLATION OF § 3-303, § 3-304, § 3-305, OR § 3-306 OF THIS SUBTITLE IF
15 COMMITTED IN THIS STATE, SHALL:

16 (1) BE MONITORED CONSTANTLY WITH GLOBAL POSITIONING
17 SATELLITE TRACKING TECHNOLOGY FOR LIFE; AND

18 (2) PAY THE COSTS OF THE MONITORING.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2010.