

HOUSE BILL 635

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7lr1593
CF SB 229

By: **Delegates Valentino-Smith, Carozza, Angel, Atterbary, Dumais, Lisanti, Malone, and Sanchez**

Introduced and read first time: February 1, 2017

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 11, 2017

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Homicide by Motor Vehicle or Vessel While Impaired by a**
3 **Controlled Dangerous Substance – Penalties**

4 FOR the purpose of altering penalties for the crime of homicide by motor vehicle or vessel
5 while impaired by a controlled dangerous substance; and generally relating to
6 homicide.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Law
9 Section 2–506
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2016 Supplement)

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

14 **Article – Criminal Law**

15 2–506.

16 (a) A person may not cause the death of another as a result of the person's
17 negligently driving, operating, or controlling a motor vehicle or vessel while the person is
18 impaired by a controlled dangerous substance, as defined in § 5–101 of this article.

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 (b) A violation of this section is homicide by motor vehicle or vessel while impaired
2 by a controlled dangerous substance.

3 (c) (1) Except as provided in paragraph (2) of this subsection, a person who
4 violates this section is guilty of a felony and on conviction is subject to imprisonment not
5 exceeding [3] 5 years or a fine not exceeding \$5,000 or both.

6 (2) (i) A person who violates this section, having previously been
7 convicted under this section, § 2-209, § 2-210, § 2-503, § 2-504, § 2-505, or § 3-211 of this
8 article, or § 21-902 of the Transportation Article, is guilty of a felony and on conviction is
9 subject to imprisonment not exceeding [5] 10 years or a fine not exceeding \$10,000 or both.

10 (ii) For the purposes of application of subsequent offender penalties
11 under subparagraph (i) of this paragraph, a conviction for a crime committed in another
12 state or federal jurisdiction that, if committed in this State would constitute a violation of
13 this section, § 2-209, § 2-210, § 2-503, § 2-504, § 2-505, or § 3-211 of this article, or §
14 21-902 of the Transportation Article, shall be considered a violation of this section.

15 (d) This section does not apply to a person who is entitled to use the controlled
16 dangerous substance under the laws of this State.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.