

HOUSE BILL 738

E1

7lr3146

By: **Delegate B. Wilson**

Introduced and read first time: February 2, 2017

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Sex Offenses – Out-of-State Convictions**

3 FOR the purpose of providing that a certain conviction from another state or a federal,
4 military, or Native American tribal court may serve as a predicate crime for a certain
5 enhanced penalty for repeat sex offenders; and generally relating to sex offenses.

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 3–313
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2016 Supplement)

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

13 **Article – Criminal Law**

14 3–313.

15 (a) On conviction of a violation of § 3–304, § 3–306, § 3–307, § 3–310, or § 3–312
16 of this subtitle, a person [who has been convicted on a prior occasion not arising from the
17 same incident of any violation of §§ 3–303 through 3–306 of this subtitle] is subject to
18 imprisonment not exceeding life **IF THE PERSON HAS BEEN CONVICTED ON A PRIOR**
19 **OCCASION NOT ARISING FROM THE SAME INCIDENT:**

20 **(1) OF ANY VIOLATION OF § 3–303, § 3–304, § 3–305, OR § 3–306 OF**
21 **THIS SUBTITLE; OR**

22 **(2) IN ANOTHER STATE OR IN A FEDERAL, MILITARY, OR NATIVE**
23 **AMERICAN TRIBAL COURT OF A CRIME THAT, IF COMMITTED IN THIS STATE, WOULD**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 CONSTITUTE A VIOLATION OF § 3-303, § 3-304, § 3-305, OR § 3-306 OF THIS
2 SUBTITLE.

3 (b) If the State intends to proceed against a person under this section, it shall
4 comply with the procedures set forth in the Maryland Rules for the indictment and trial of
5 a subsequent offender.

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