

# HOUSE BILL 493

E1  
HB 778/18 – JUD

9lr2335  
CF 9lr2992

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By: **Delegates Valentino–Smith, Barron, Corderman, Holmes, and McComas**  
Introduced and read first time: February 1, 2019  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Solicitation to Commit Murder – Penalty**

3 FOR the purpose of providing that the statute of limitations for the crime of solicitation to  
4 commit murder in the first degree where the death of another did not occur is 3 years;  
5 providing that a person who solicits another or conspires with another to commit  
6 murder in the first degree is guilty of a felony, if the death of another occurs as a  
7 result of the solicitation or conspiracy; establishing a certain penalty; providing for  
8 the application of this Act; and generally relating to solicitation to commit murder.

9 BY repealing and reenacting, with amendments,  
10 Article – Courts and Judicial Proceedings  
11 Section 5–106(ff)  
12 Annotated Code of Maryland  
13 (2013 Replacement Volume and 2018 Supplement)

14 BY adding to  
15 Article – Criminal Law  
16 Section 2–211  
17 Annotated Code of Maryland  
18 (2012 Replacement Volume and 2018 Supplement)

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

21 **Article – Courts and Judicial Proceedings**

22 5–106.

23 (ff) The statute of limitations for the prosecution of the crime of solicitation to  
24 commit murder in the first degree in violation of § 2–201 of the Criminal Law Article

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 **WHERE THE DEATH OF ANOTHER DID NOT OCCUR**, murder in the second degree in  
2 violation of § 2–204 of the Criminal Law Article, arson in the first degree in violation of §  
3 6–102 of the Criminal Law Article, or arson in the second degree in violation of § 6–103 of  
4 the Criminal Law Article is 3 years.

5 **Article – Criminal Law**

6 **2–211.**

7 **(A) A PERSON WHO SOLICITS ANOTHER OR CONSPIRES WITH ANOTHER TO**  
8 **COMMIT MURDER IN THE FIRST DEGREE, IF THE DEATH OF ANOTHER OCCURS AS A**  
9 **RESULT OF THE SOLICITATION OR CONSPIRACY, IS GUILTY OF A FELONY AND ON**  
10 **CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING LIFE.**

11 **(B) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM**  
12 **AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED**  
13 **ON THE ACT ESTABLISHING A VIOLATION OF THIS SECTION.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
15 apply only prospectively and may not be applied or interpreted to have any effect on or  
16 application to any offense occurring before the effective date of this Act.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2019.