

HOUSE BILL 1458

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0lr2270

By: **Delegates Malone, Adams, Anderton, Arentz, Arikan, Beitzel, Boteler, Buckel, Chisholm, Ciliberti, Clark, Corderman, Cox, M. Fisher, Ghrist, Griffith, Hartman, Hornberger, Howard, Jacobs, Kipke, Krebs, Long, Mangione, Mautz, McComas, McKay, Metzgar, Miller, Morgan, Otto, Parrott, Reilly, Rose, Saab, Szeliga, and Wivell**

Introduced and read first time: February 7, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland State Commission for Criminal Sentencing Policy – Sentencing**
3 **Guidelines – Plea Agreements**
4 **(Truth in Plea Deals Act of 2020)**

5 FOR the purpose of providing that a sentence imposed pursuant to a plea agreement may
6 not be deemed to be compliant with certain sentencing guidelines unless the sentence
7 falls within a certain range; and generally relating to sentencing guidelines.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Procedure
10 Section 6–208
11 Annotated Code of Maryland
12 (2018 Replacement Volume and 2019 Supplement)

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

15 **Article – Criminal Procedure**

16 6–208.

17 (a) (1) The Commission shall adopt sentencing guidelines that the
18 Commission may change.

19 (2) The sentencing guidelines shall include sentencing guidelines for
20 ordinary sentences and sentencing guidelines for corrections options.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The sentencing guidelines for ordinary sentences shall call for sentences
2 within the limits set by law and shall set forth:

3 (1) the range of sentences for crimes of a given degree of seriousness;

4 (2) a range of increased severity for defendants previously convicted of or
5 adjudicated delinquent for a previous crime; and

6 (3) a list of aggravating and mitigating circumstances.

7 (c) The sentencing guidelines for corrections options shall be designed to identify
8 defendants qualified for corrections options programs.

9 **(D) A SENTENCE IMPOSED PURSUANT TO A PLEA AGREEMENT MAY NOT BE**
10 **DEEMED TO BE COMPLIANT WITH THE SENTENCING GUIDELINES UNLESS THE**
11 **SENTENCE FALLS WITHIN THE ACTUAL SENTENCING GUIDELINES RANGE.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2020.