

SENATE BILL 26

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(PRE-FILED)

4r0819
CF HB 264

By: **Senator Bailey**

Requested: October 3, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 12, 2024

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Manslaughter by Vehicle or Vessel – Increased Penalties**
3 **(Jamari’s Law)**

4 FOR the purpose of increasing the maximum periods of imprisonment for an individual
5 convicted of manslaughter by vehicle or vessel; and generally relating to penalties
6 for manslaughter by vehicle or vessel.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Law
9 Section 2–209
10 Annotated Code of Maryland
11 (2021 Replacement Volume and 2023 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 2–209.

16 (a) In this section, “vehicle” includes a motor vehicle, streetcar, locomotive,
17 engine, and train.

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 person may not cause the death of another as a result of the person's driving,
2 operating, or controlling a vehicle or vessel in a grossly negligent manner.

3 (c) A violation of this section is manslaughter by vehicle or vessel.

4 (d) (1) Except as provided in paragraph (2) of this subsection, a person who
5 violates this section is guilty of a felony and on conviction is subject to imprisonment not
6 exceeding [10] **20** years or a fine not exceeding \$5,000 or both.

7 (2) (i) A person who violates this section, having previously been
8 convicted under this section, § 2–210, § 2–503, § 2–504, § 2–505, § 2–506, or § 3–211 of this
9 article, or § 21–902 of the Transportation Article, is guilty of a felony and on conviction is
10 subject to imprisonment not exceeding [15] **30** years or a fine not exceeding \$10,000 or
11 both.

12 (ii) For the purposes of application of subsequent offender penalties
13 under subparagraph (i) of this paragraph, a conviction for a crime committed in another
14 state or federal jurisdiction that, if committed in this State would constitute a violation of
15 this section, § 2–210, § 2–503, § 2–504, § 2–505, § 2–506, or § 3–211 of this article, or §
16 21–902 of the Transportation Article, shall be considered a violation of this section.

17 (e) (1) An indictment or other charging document for manslaughter by vehicle
18 or vessel is sufficient if it substantially states:

19 “(name of defendant) on (date) in (county) killed (name of victim) in a grossly
20 negligent manner against the peace, government, and dignity of the State.”.

21 (2) An indictment or other charging document for manslaughter by vehicle
22 or vessel need not set forth the manner or means of death.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.