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By: Delegates Arikan, Embry, Grammer, Kaufman, Nkongolo, Pasteur, Taylor, Tomlinson, and Valentine

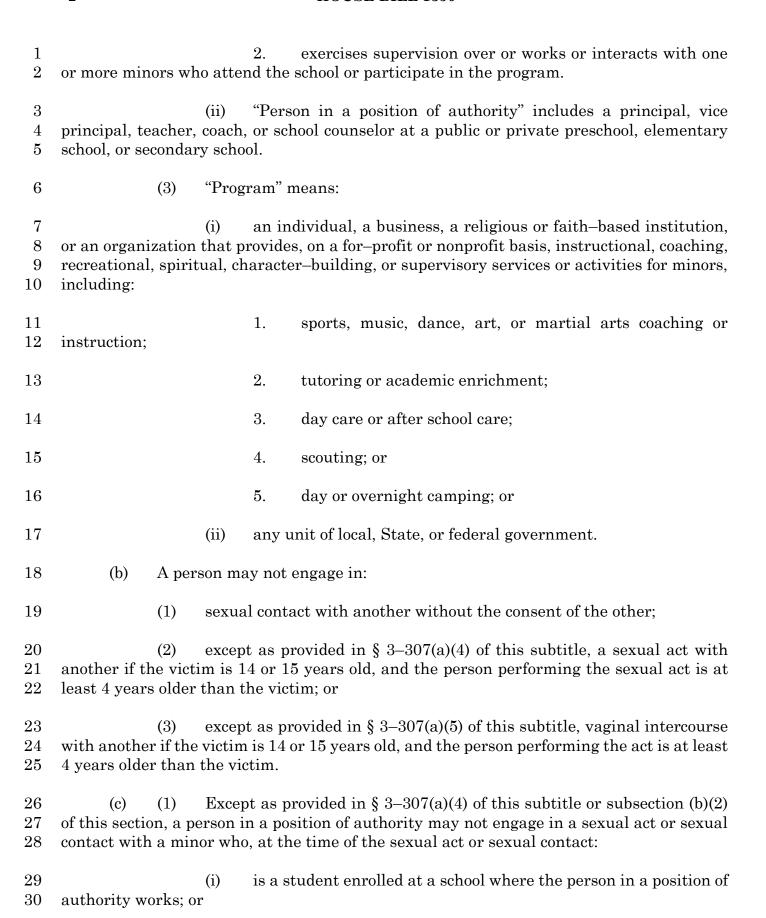
Introduced and read first time: February 7, 2025

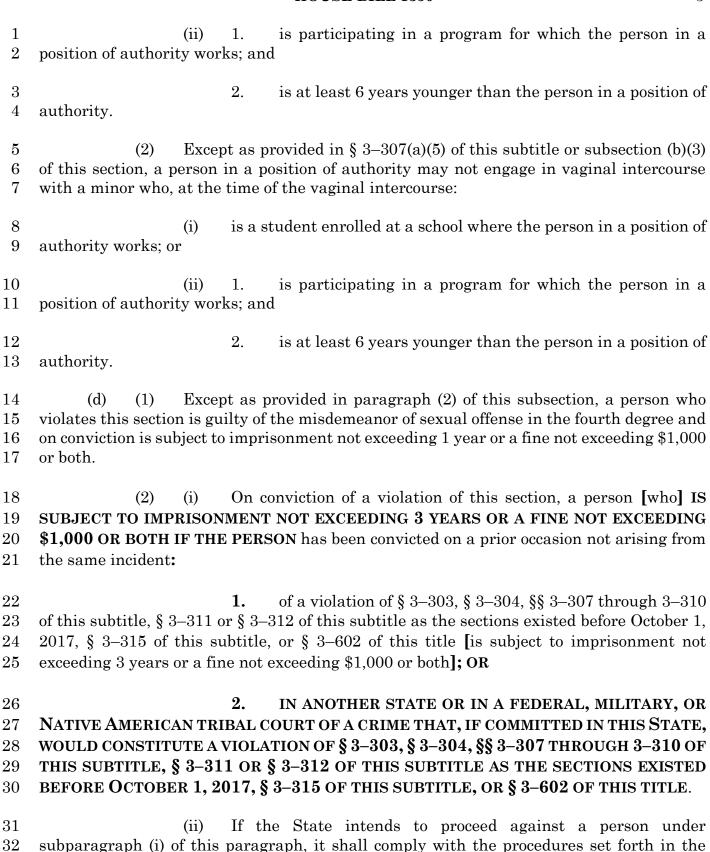
Assigned to: Judiciary

A BILL ENTITLED

1	AN ACT concerning
2	Criminal Law - Fourth Degree Sexual Offense - Out-of-State Convictions
3 4 5 6	FOR the purpose of providing that a specified conviction from another state or a federal, military, or Native American tribal court may serve as a predicate crime for a specified enhanced penalty for certain repeat sex offenders; and generally relating to fourth degree sexual offenses.
7 8 9 10 11	BY repealing and reenacting, with amendments, Article – Criminal Law Section 3–308 Annotated Code of Maryland (2021 Replacement Volume and 2024 Supplement)
12 13	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
14	Article – Criminal Law
15	3–308.
16	(a) (1) In this section the following words have the meanings indicated.
17	(2) (i) "Person in a position of authority" means a person who:
18 19 20	1. A. is at least 21 years old and works for remuneration or as a volunteer for a public or private preschool, elementary school, or secondary school; or
$\begin{array}{c} 21 \\ 22 \end{array}$	B. is at least 22 years old and works for remuneration or as a volunteer for a program; and







34 (e) (1) Unless specifically charged by the State, a violation of this section may 35 not be considered a lesser included crime of any other crime.

Maryland Rules for the indictment and trial of a subsequent offender.

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- 1 (2) A sentence imposed under this section may be imposed separate from 2 and consecutive to or concurrent with a sentence for any crime based on the act establishing 3 the violation of this section.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 5 October 1, 2025.