

# HOUSE BILL 1489

E2

6lr3511

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By: **Delegate Simmons**

Introduced and read first time: February 13, 2026

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Motion to Reduce Duration of Sentence – Eligibility**  
3 **(Vincent Anthony Fisher III Act)**

4 FOR the purpose of altering the eligibility criteria for the filing of a certain motion to reduce  
5 the duration of a sentence; and generally relating to motions to reduce the duration  
6 of a sentence.

7 BY repealing and reenacting, with amendments,  
8 Article – Criminal Procedure  
9 Section 8–110  
10 Annotated Code of Maryland  
11 (2025 Replacement Volume)

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

14 **Article – Criminal Procedure**

15 8–110.

16 (a) This section applies only to an individual who:

17 (1) (i) was convicted as an adult for an offense committed when the  
18 individual was a minor;

19 (ii) was sentenced for the offense before October 1, 2021; and

20 (iii) has been imprisoned for at least 20 years for the offense; or

21 (2) (i) was convicted of an offense committed when the individual was  
22 at least 18 years old but younger than 25 years old;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (ii) was not sentenced to life without the possibility of parole;
- 2 (iii) is not a sex offender, as defined in § 11–701 of this article;
- 3 (iv) has been imprisoned for at least 20 years for the offense; and
- 4 (v) was not convicted of [murder involving a victim who was a first  
5 responder, as defined in § 18–213.2 of the Health – General Article, who was killed in the  
6 line of duty]:

7 **1. MURDER OR MANSLAUGHTER OF A VIABLE FETUS**  
8 **UNDER § 2–103 OF THE CRIMINAL LAW ARTICLE;**

9 **2. MURDER IN THE FIRST DEGREE UNDER § 2–201 OF**  
10 **THE CRIMINAL LAW ARTICLE;**

11 **3. MURDER IN THE SECOND DEGREE UNDER § 2–204 OF**  
12 **THE CRIMINAL LAW ARTICLE;**

13 **4. ATTEMPTED MURDER IN THE FIRST DEGREE UNDER §**  
14 **2–205 OF THE CRIMINAL LAW ARTICLE;**

15 **5. ATTEMPTED MURDER IN THE SECOND DEGREE UNDER**  
16 **§ 2–206 OF THE CRIMINAL LAW ARTICLE;**

17 **6. MANSLAUGHTER UNDER § 2–207 OF THE CRIMINAL**  
18 **LAW ARTICLE;**

19 **7. MANSLAUGHTER BY VEHICLE OR VESSEL UNDER §**  
20 **2–209 OF THE CRIMINAL LAW ARTICLE;**

21 **8. CAUSING THE DEATH OF ANOTHER BY OPERATION OF**  
22 **VEHICLE OR VESSEL IN A CRIMINALLY NEGLIGENT MANNER UNDER § 2–210 OF THE**  
23 **CRIMINAL LAW ARTICLE;**

24 **9. HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE**  
25 **UNDER THE INFLUENCE OF ALCOHOL OR UNDER THE INFLUENCE OF ALCOHOL PER**  
26 **SE UNDER § 2–503 OF THE CRIMINAL LAW ARTICLE;**

27 **10. HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE**  
28 **IMPAIRED BY ALCOHOL UNDER § 2–504 OF THE CRIMINAL LAW ARTICLE;**

1                   **11. HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE**  
2 **IMPAIRED BY DRUGS UNDER § 2-505 OF THE CRIMINAL LAW ARTICLE;**

3                   **12. HOMICIDE BY MOTOR VEHICLE OR VESSEL WHILE**  
4 **IMPAIRED BY A CONTROLLED DANGEROUS SUBSTANCE UNDER § 2-506 OF THE**  
5 **CRIMINAL LAW ARTICLE;**

6                   **13. CHILD ABUSE RESULTING IN DEATH UNDER § 3-601**  
7 **OF THE CRIMINAL LAW ARTICLE; OR**

8                   **14. COMMISSION OF A HATE CRIME RESULTING IN THE**  
9 **DEATH OF A VICTIM UNDER § 10-304 OF THE CRIMINAL LAW ARTICLE.**

10           (b) (1) An individual described in subsection (a) of this section may file a  
11 motion with the court to reduce the duration of the sentence.

12                   (2) A court shall conduct a hearing on a motion to reduce the duration of a  
13 sentence.

14                   (3) (i) The individual shall be present at the hearing, unless the  
15 individual waives the right to be present.

16                               (ii) The requirement that the individual be present at the hearing is  
17 satisfied if the hearing is conducted by video conference.

18                   (4) (i) The individual may introduce evidence in support of the motion  
19 at the hearing.

20                               (ii) The State may introduce evidence in support of or in opposition  
21 to the motion at the hearing.

22                   (5) (i) Notice of the hearing under this subsection shall be given to the  
23 victim or the victim's representative as provided in §§ 11-104 and 11-503 of this article.

24                               (ii) A victim or victim's representative may submit a victim impact  
25 statement to the court regarding the impact of the crime and the proposed sentence  
26 reduction.

27                               (iii) A victim may not be cross-examined when presenting a victim  
28 impact statement under this section.

29           (c) Notwithstanding any other provision of law, after a hearing under subsection  
30 (b) of this section, the court may reduce the duration of the sentence if the court determines  
31 that:

32                   (1) the individual is not a danger to the public; and

1 (2) the interests of justice will be better served by a reduced sentence.

2 (d) A court shall consider the following factors when determining whether to  
3 reduce the duration of a sentence under this section:

4 (1) the individual's age at the time of the offense;

5 (2) the nature of the offense and the history and characteristics of the  
6 individual;

7 (3) whether the individual has substantially complied with the rules of the  
8 institution in which the individual has been confined;

9 (4) whether the individual has completed an educational, vocational, or  
10 other program;

11 (5) whether the individual has demonstrated maturity, rehabilitation, and  
12 fitness to reenter society sufficient to justify a sentence reduction;

13 (6) any statement offered by a victim or a victim's representative;

14 (7) any report of a physical, mental, or behavioral examination of the  
15 individual conducted by a health professional;

16 (8) the individual's family and community circumstances at the time of the  
17 offense, including any history of trauma, abuse, or involvement in the child welfare system;

18 (9) the extent of the individual's role in the offense and, if the individual  
19 was a minor at the time of the offense, whether and to what extent an adult was involved  
20 in the offense;

21 (10) the diminished culpability of a juvenile as compared to an adult,  
22 including an inability to fully appreciate risks and consequences, if applicable; and

23 (11) any other factor the court deems relevant.

24 (e) (1) The court shall issue its decision to grant or deny a motion to reduce  
25 the duration of a sentence in writing.

26 (2) The decision shall address the factors listed in subsection (d) of this  
27 section.

28 (3) (i) The court shall order an individual to stay away from and refrain  
29 from contact with a victim and victim's family if the individual is released, unless the victim  
30 requests otherwise.

1                   (ii)    The court may impose any other conditions of release necessary  
2 to promote victim safety and peace of mind.

3           (f)    (1)    If the court denies or grants, in part, a motion to reduce the duration of  
4 a sentence under this section, the individual may not file a second motion to reduce the  
5 duration of that sentence for at least 3 years.

6                   (2)    If the court denies or grants, in part, a second motion to reduce the  
7 duration of a sentence, the individual may not file a third motion to reduce the duration of  
8 that sentence for at least 3 years.

9                   (3)    With regard to any specific sentence, an individual may not file a fourth  
10 motion to reduce the duration of the sentence.

11           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2026.