

# SENATE BILL 679

E2

6lr2992

By: Senator Folden

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

## 1 AN ACT concerning

## **Criminal Procedure – Motion to Reduce Duration of Sentence – Eligibility (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  
0 Annotated Code of Maryland  
1 (2025 Replacement Volume)

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

## Article – Criminal Procedure

15 8-110.

(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;

**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

(2) the nature of the offense and the history and characteristics of the

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

(4) whether the individual has completed an educational, vocational, or  
m;

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

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

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

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

(9) the extent of the individual's role in the offense and, if the individual at the time of the offense, whether and to what extent an adult was involved in:

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

(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.

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

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