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DATE: **March 10, 2026**

BILL NUMBER: **HB 1467**

POSITION: **Favorable**

HB 1467 Child Sex Offenders – Plea Agreements and Places for Children

The Maryland State's Attorneys' Association strongly urges a favorable report for House Bill 1467, Criminal Law—Fourth Degree Sexual Offense—Out of State Convictions.

The MSAA Special Victims Legislative Subcommittee is comprised of representatives from the vast majority of State's Attorney's Offices in Maryland who prosecute special victims' cases, including fourth-degree sexual offense.

Under current law, a repeat sexual offender who is charged with a violation of section 3-308 of the Maryland Criminal Law Article, is subject to a three-year period of incarceration (versus one year), if the offenders prior convictions occurred in Maryland. House Bill 1467 will enhance the penalty for fourth degree sexual offense if the offender has a prior sexual offense or child sexual abuse conviction "in another state or in a federal, military, or Native American tribal court."

House Bill 1467 brings the subsequent offender penalties for fourth-degree sexual offense into parity with other subsequent offender laws, including section 21-902(e) of the Maryland Traffic Code, which allows for enhanced penalties for driving under the influence or impaired by drugs or alcohol, if the offender has "a conviction for a crime committed in another state or federal jurisdiction that, if committed in this State, would constitute a violation" of Maryland's DUI laws.

Subsequent offender laws are meant to deter individuals from committing the same crime more than one time. The current law, which allows a person to take advantage of a lesser sentence simply because their prior offense is out of state, is inconsistent with the goal of deterrence. Offenders should not be able to escape a higher sentence simply because they committed a similar offense across state lines.

For these reasons, the Maryland State's Attorneys' Association respectfully urges the Committee to issue a favorable report on House Bill 1467.