

Chapter 650

**(House Bill 738)**

AN ACT concerning

**Criminal Law – Sex Offenses – Out-of-State Convictions**

FOR the purpose of providing that a certain conviction from another state or a federal, military, or Native American tribal court may serve as a predicate crime for a certain enhanced penalty for repeat sex offenders; and generally relating to sex offenses.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–313  
Annotated Code of Maryland  
(2012 Replacement Volume and 2016 Supplement)

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

**Article – Criminal Law**

3–313.

(a) On conviction of a violation of § 3–304, § 3–306, § 3–307, § 3–310, or § 3–312 of this subtitle, a person [who has been convicted on a prior occasion not arising from the same incident of any violation of §§ 3–303 through 3–306 of this subtitle] is subject to imprisonment not exceeding life **IF THE PERSON HAS BEEN CONVICTED ON A PRIOR OCCASION NOT ARISING FROM THE SAME INCIDENT:**

**(1) OF ANY VIOLATION OF § 3–303, § 3–304, § 3–305, OR § 3–306 OF THIS SUBTITLE; OR**

**(2) IN ANOTHER STATE OR IN A FEDERAL, MILITARY, OR NATIVE AMERICAN TRIBAL COURT OF A CRIME THAT, IF COMMITTED IN THIS STATE, WOULD CONSTITUTE A VIOLATION OF § 3–303, § 3–304, § 3–305, OR § 3–306 OF THIS SUBTITLE.**

(b) If the State intends to proceed against a person under this section, it shall comply with the procedures set forth in the Maryland Rules for the indictment and trial of a subsequent offender.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

**Approved by the Governor, May 25, 2017.**