

SENATE BILL 654

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CF 7lr3490

By: **Senators Hough, Cassilly, Muse, Smith, and Zirkin**

Introduced and read first time: February 3, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Crime Classification and Penalties**

3 FOR the purpose of establishing the Task Force to Study Crime Classification and
4 Penalties; providing for the composition, chair, and staffing of the Task Force;
5 prohibiting a member of the Task Force from receiving certain compensation, but
6 authorizing reimbursement of certain expenses; requiring the Task Force to study
7 certain issues related to the classification of and penalties for criminal and civil
8 violations in the State; requiring the Task Force to report its findings to the Governor
9 and the General Assembly on or before a certain date; providing for the termination
10 of this Act; and generally relating to the Task Force to Study Crime Classification
11 and Penalties.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

13 That:

14 (a) There is a Task Force to Study Crime Classification and Penalties.

15 (b) The Task Force consists of the following members:

16 (1) three members of the Senate of Maryland, appointed by the President
17 of the Senate;

18 (2) three members of the House of Delegates, appointed by the Speaker of
19 the House;

20 (3) one member of the Judiciary, appointed by the Chief Judge of the Court
21 of Appeals;

22 (4) the Attorney General, or the Attorney General's designee;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (5) the Executive Director of the Maryland Sentencing Commission, or the
2 Executive Director's designee;

3 (6) the Executive Director of the Governor's Office of Crime Control and
4 Prevention, or the Executive Director's designee;

5 (7) the president of the Maryland State's Attorneys' Association, or the
6 president's designee;

7 (8) an expert in the subject matter of criminal sentencing, appointed by the
8 president of the Maryland State's Attorneys' Association;

9 (9) the Public Defender, or the Public Defender's designee;

10 (10) an expert in the subject matter of criminal sentencing, appointed by the
11 Public Defender; and

12 (11) the chair of the Justice Reinvestment Oversight Board.

13 (c) The members of the Task Force shall designate the chair of the Task Force.

14 (d) The Department of Legislative Services shall provide staff for the Task Force.

15 (e) A member of the Task Force:

16 (1) may not receive compensation as a member of the Task Force; but

17 (2) is entitled to reimbursement for expenses under the Standard State
18 Travel Regulations, as provided in the State budget.

19 (f) The Task Force shall:

20 (1) review the penalties for all criminal and civil violations throughout the
21 Maryland Code;

22 (2) study the history and legislative intent of the classification of criminal
23 and civil violations throughout the Maryland Code, including the constitutional
24 implications and collateral consequences that arise as a result of classification;

25 (3) study criminal classifications and penalty schemes in other states and
26 how those classifications and schemes compare to those in the State; and

27 (4) make recommendations regarding the current statutory scheme for
28 criminal and civil violations throughout the Maryland Code, including:

29 (i) whether there are violations that should be reclassified;

1 (ii) whether there are penalties that should be altered; and

2 (iii) whether the State would benefit from imposition of a
3 standardized classification and penalty.

4 (g) On or before December 31, 2018, the Task Force shall report its findings and
5 recommendations to the Governor and, in accordance with § 2-1246 of the State
6 Government Article, the General Assembly.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
8 1, 2017. It shall remain effective for a period of 2 years and 1 month and, at the end of June
9 30, 2019, with no further action required by the General Assembly, this Act shall be
10 abrogated and of no further force and effect.