

SENATE BILL 149

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CF 9lr1989

By: **Senators Hough, Cassilly, Ready, Salling, Smith, West, and Zirkin**

Introduced and read first time: January 21, 2019

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) the Attorney General, or the Attorney General's designee;

21 (4) the Executive Director of the Maryland Sentencing Commission, or the
22 Executive Director's designee;

23 (5) the Executive Director of the Governor's Office of Crime Control and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Prevention, or the Executive Director's designee;

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

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

6 (8) the Public Defender, or the Public Defender's designee;

7 (9) an expert in the subject matter of criminal sentencing, appointed by the
8 Public Defender; and

9 (10) the chair of the Justice Reinvestment Oversight Board.

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

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

12 (e) A member of the Task Force:

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

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

16 (f) The Task Force shall:

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

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

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

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

26 (i) whether there are violations that should be reclassified as civil
27 offenses, misdemeanors, or felonies;

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

29 (iii) whether the State would benefit from:

