

Chapter 15

(House Bill 117)

AN ACT concerning

State Commission on Criminal Sentencing Policy – Annual Report – Reporting Date

FOR the purpose of altering the date by which the State Commission on Criminal Sentencing Policy is required to submit a certain report; clarifying the contents of the report; and generally relating to the State Commission on Criminal Sentencing Policy.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–209
Annotated Code of Maryland
(2008 Replacement Volume and 2011 Supplement)

Preamble

WHEREAS, The State Commission on Criminal Sentencing Policy was created to support fair and proportional sentencing policy, increase equity in criminal sentencing practice, and promote increased visibility and public understanding of the sentencing process; and

WHEREAS, The Commission's annual report analyzes circuit court sentencing practices and trends based on the most recent fiscal year of the Judiciary ending on June 30; and

WHEREAS, It is critical that the Commission has sufficient time to accurately and efficiently collect, process, review, and analyze the data to be included in its report prior to the submission to the General Assembly; and

WHEREAS, The Commission regularly holds one of its quarterly meetings and its public comments hearing in December and this information should be included in the annual report that pertains to the activities for that year; and

WHEREAS, The Commission's annual report is required to be inclusive of all its activities and changes to sentencing guidelines during the full calendar year; now, therefore,

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

Article – Criminal Procedure

6–209.

(a) The Commission shall review annually sentencing policy and practice and, on or before [December 1] **JANUARY 31** of each year, report to the General Assembly, in accordance with § 2–1246 of the State Government Article, **ON THE ACTIVITIES OF THE PRECEDING CALENDAR YEAR.**

(b) (1) The report shall:

(i) include any changes to the sentencing guidelines made during the preceding year;

(ii) review judicial compliance with the sentencing guidelines, including compliance by crime and by judicial circuit;

(iii) review reductions or increases in original sentences that have occurred because of reconsiderations of sentences imposed under § 14–101 of the Criminal Law Article; and

(iv) categorize information on the number of reconsiderations of sentences by crimes as listed in § 14–101(a) of the Criminal Law Article and by judicial circuit.

(2) The Commission shall consider a sentence to a corrections options program to be within the sentencing guidelines if the sentence falls within a corrections options zone shown on the matrix.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, April 10, 2012.