

SENATE BILL 379

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By: **Senators West, Carozza, Watson, Klausmeier, Smith, and James**

Introduced and read first time: January 17, 2024

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 10, 2024

CHAPTER _____

1 AN ACT concerning

2 **Task Force to Study Crime Classification – Renaming, Membership, and Duties**

3 FOR the purpose of renaming the Task Force to Study Crime Classification to be the Task
4 Force to Study Crime Reclassification and Penalties; altering the membership of the
5 Task Force; altering the duties of the Task Force from studying certain issues related
6 to the classification of criminal and civil violations to studying penalties for those
7 violations, the possible need to reclassify certain crimes, and the need for potential
8 changes relating to crimes lacking a specific mens rea; and generally relating to the
9 Task Force to Study Crime Classification.

10 BY repealing and reenacting, with amendments,
11 Chapter 712 of the Acts of the General Assembly of 2023
12 Section 1 and 2

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

15 **Chapter 712 of the Acts of 2023**

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That:

18 (a) There is a Task Force to Study Crime **[Classification] RECLASSIFICATION**
19 **AND PENALTIES.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

(1) one member appointed by the Chair of the Senate Judicial Proceedings Committee;

(2) one member appointed by the Chair of the House Judiciary Committee;

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

(4) the President of the Maryland State's Attorneys' Association, or the President's designee;

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

(6) the Executive Director of the Maryland Network Against Domestic Violence, or the Executive Director's designee; [and]

(7) THE EXECUTIVE DIRECTOR OF THE MARYLAND SENTENCING COMMISSION, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

(8) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; ~~AND~~

(9) THE EXECUTIVE DIRECTOR OF THE MARYLAND COALITION AGAINST SEXUAL ASSAULT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND

[(7)] ~~(9)~~ (10) the following members appointed by the President of the Maryland State Bar Association:

(i) one member of the State Bar with expertise in victims' rights;
and

(ii) one member of the State Bar who is a member of the Criminal Law Section of the Association.

(c) The Chair of the Senate Judicial Proceedings Committee and Chair of the House Judiciary Committee shall designate the chair of the Task Force.

(d) The Office of the Attorney General shall provide staff for the Task Force.

(e) A member of the Task Force:

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

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

3 (f) A MEMBER OF THE TASK FORCE SERVES AT THE PLEASURE OF THE
4 PERSON WHO APPOINTED THE MEMBER.

5 (g) AT THE FIRST MEETING OF THE TASK FORCE THAT OCCURS ON OR
6 AFTER JUNE 1, 2024, THE TASK FORCE SHALL VOTE TO ADOPT A CODE OF CONDUCT
7 PROVIDING FOR THE ACCEPTABLE CONDUCT OF TASK FORCE MEMBERS.

8 (h) The Task Force shall:

9 [(1) study and make recommendations regarding a method for classifying
10 crimes and civil offenses under State law; and

11 (2) identify and logically categorize all crimes and civil offenses that exist
12 under State law.]

13 (1) REVIEW THE PENALTIES FOR ALL CRIMINAL AND CIVIL
14 VIOLATIONS IN THE CRIMINAL LAW ARTICLE, CRIMINAL PROCEDURE ARTICLE,
15 PUBLIC SAFETY ARTICLE, AND MARYLAND SENTENCING GUIDELINES; AND

16 (2) MAKE RECOMMENDATIONS REGARDING THE CURRENT SCHEME
17 FOR CRIMINAL AND CIVIL VIOLATIONS IN THE CRIMINAL LAW ARTICLE, CRIMINAL
18 PROCEDURE ARTICLE, PUBLIC SAFETY ARTICLE, AND MARYLAND SENTENCING
19 GUIDELINES, INCLUDING:

20 (i) WHETHER VIOLATIONS SHOULD BE CATEGORIZED BY
21 CLASSES OF MISDEMEANOR AND FELONY TO CORRESPOND WITH THE SEVERITY OF
22 OFFENSES;

23 (ii) WHETHER THERE ARE VIOLATIONS THAT SHOULD BE
24 RECLASSIFIED AS CIVIL OFFENSES, MISDEMEANORS, OR FELONIES;

25 (iii) WHETHER THERE ARE PENALTIES THAT SHOULD BE
26 ALTERED BECAUSE THEY ARE DISPROPORTIONATELY LENIENT OR SEVERE;

27 (iv) WHETHER REMAINING COMMON LAW OFFENSES SHOULD BE
28 CODIFIED; AND

29 (v) WHETHER STATUTORY CHANGES ARE NEEDED FOR
30 PROVISIONS OF CRIMINAL LAW THAT LACK AN EXPLICIT MENS REA.

1 ~~(e)~~ **(1)** On or before December 31, [2023] **2025**, the Task Force shall report its
2 findings and recommendations to the Governor and, in accordance with § 2-1257 of the
3 State Government Article, the General Assembly.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
5 1, 2023. It shall remain effective for a period of [1 year] **3 YEARS** and 1 month and, at the
6 end of June 30, [2024] **2026**, this Act, with no further action required by the General
7 Assembly, shall be abrogated and of no further force and effect.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
9 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.