

SENATE BILL 652

E1, E5

2lr1873

By: **Senator Cassilly**

Introduced and read first time: February 4, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Murder of a Police Officer**
3 **(Officer Keona Holley Public Safety Act)**

4 FOR the purpose of prohibiting a person from committing, attempting to commit, or
5 conspiring to commit murder in the first degree of a police officer under certain
6 circumstances; prohibiting a person from committing, attempting to commit, or
7 conspiring to commit murder in the second degree of a police officer under certain
8 circumstances; providing that a person convicted and sentenced under the provisions
9 of this Act is ineligible for parole; and generally relating to murder of a police officer.

10 BY adding to
11 Article – Criminal Law
12 Section 2–211
13 Annotated Code of Maryland
14 (2021 Replacement Volume and 2021 Supplement)

15 BY adding to
16 Article – Correctional Services
17 Section 7–301(f)
18 Annotated Code of Maryland
19 (2017 Replacement Volume and 2021 Supplement)

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

22 **Article – Criminal Law**

23 **2–211.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) THIS SECTION DOES NOT APPLY TO A FIRST DEGREE MURDER THAT IS A**
2 **FIRST DEGREE MURDER SOLELY BECAUSE IT WAS COMMITTED IN THE**
3 **PERPETRATION OF OR ATTEMPT TO PERPETRATE AN OFFENSE LISTED UNDER §**
4 **2-201(A)(4) OF THIS SUBTITLE.**

5 **(B) (1) (I) A PERSON MAY NOT COMMIT MURDER IN THE FIRST DEGREE**
6 **OF A POLICE OFFICER IF THE PERSON KNOWS, SUSPECTS, OR REASONABLY SHOULD**
7 **KNOW OR SUSPECT THAT THE VICTIM IS A POLICE OFFICER.**

8 **(II) A PERSON MAY NOT ATTEMPT OR CONSPIRE TO COMMIT**
9 **FIRST DEGREE MURDER OF A POLICE OFFICER IF THE PERSON KNOWS, SUSPECTS,**
10 **OR REASONABLY SHOULD KNOW OR SUSPECT THAT THE VICTIM IS A POLICE**
11 **OFFICER.**

12 **(2) (I) A PERSON MAY NOT COMMIT OR CONSPIRE TO COMMIT**
13 **MURDER IN THE SECOND DEGREE OF A POLICE OFFICER IF THE PERSON KNOWS,**
14 **SUSPECTS, OR REASONABLY SHOULD KNOW OR SUSPECT THAT THE VICTIM IS A**
15 **POLICE OFFICER.**

16 **(II) A PERSON MAY NOT ATTEMPT TO COMMIT MURDER IN THE**
17 **SECOND DEGREE OF A POLICE OFFICER IF THE PERSON KNOWS, SUSPECTS, OR**
18 **REASONABLY SHOULD KNOW OR SUSPECT THAT THE VICTIM IS A POLICE OFFICER.**

19 **(C) (1) (I) A PERSON WHO VIOLATES SUBSECTION (B)(1)(I) OF THIS**
20 **SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO**
21 **IMPRISONMENT FOR LIFE.**

22 **(II) A PERSON WHO VIOLATES SUBSECTION (B)(1)(II) OF THIS**
23 **SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO**
24 **IMPRISONMENT NOT EXCEEDING LIFE.**

25 **(2) (I) A PERSON WHO VIOLATES SUBSECTION (B)(2)(I) OF THIS**
26 **SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO**
27 **IMPRISONMENT NOT EXCEEDING 40 YEARS.**

28 **(II) A PERSON WHO VIOLATES SUBSECTION (B)(2)(II) OF THIS**
29 **SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO**
30 **IMPRISONMENT NOT EXCEEDING 30 YEARS.**

31 **(3) NOTWITHSTANDING § 2-203 OF THIS SUBTITLE, A PERSON**
32 **SENTENCED UNDER THIS SUBSECTION IS NOT ELIGIBLE FOR PAROLE.**

33 **(D) (1) THIS SUBSECTION APPLIES TO A CONVICTION FOR:**

1 **(I) MURDER IN THE FIRST DEGREE;**

2 **(II) ATTEMPTED MURDER IN THE FIRST DEGREE;**

3 **(III) CONSPIRACY TO COMMIT MURDER IN THE FIRST DEGREE;**

4 **(IV) MURDER IN THE SECOND DEGREE;**

5 **(V) ATTEMPTED MURDER IN THE SECOND DEGREE; AND**

6 **(VI) CONSPIRACY TO COMMIT MURDER IN THE SECOND DEGREE.**

7 **(2) A CONVICTION FOR AN OFFENSE LISTED IN PARAGRAPH (1) OF**
8 **THIS SUBSECTION AND A CONVICTION UNDER THIS SECTION FOR THE SAME ACT OR**
9 **TRANSACTION SHALL MERGE FOR SENTENCING PURPOSES INTO ONE CONVICTION**
10 **UNDER THIS SECTION.**

11 **Article – Correctional Services**

12 7–301.

13 **(F) (1) AN INMATE WHO IS SERVING A TERM OF IMPRISONMENT FOR A**
14 **VIOLATION OF § 2–211 OF THE CRIMINAL LAW ARTICLE IS NOT ELIGIBLE FOR**
15 **PAROLE CONSIDERATION AND MAY NOT BE GRANTED PAROLE AT ANY TIME DURING**
16 **THE INMATE’S SENTENCE.**

17 **(2) THIS SUBSECTION DOES NOT RESTRICT THE AUTHORITY OF THE**
18 **GOVERNOR TO PARDON OR REMIT ANY PART OF A SENTENCE UNDER § 7–601 OF THIS**
19 **TITLE.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2022.