

SENATE BILL 652

E1, E5

2lr1873

By: **Senator Cassilly**

Introduced and read first time: February 4, 2022

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 16, 2022

CHAPTER _____

1 AN ACT concerning

2 ~~Criminal Law – Murder of a Police Officer~~

3 Higher Education – Edward T. Conroy and Mary A. Conroy Memorial

4 Scholarship Program and Jean B. Cryor Memorial Scholarship Program –

5 Expansion

6 (Officer Keona Holley Public Safety Act)

7 FOR the purpose of ~~prohibiting a person from committing, attempting to commit, or~~
8 ~~conspiring to commit murder in the first degree of a police officer under certain~~
9 ~~circumstances; prohibiting a person from committing, attempting to commit, or~~
10 ~~conspiring to commit murder in the second degree of a police officer under certain~~
11 ~~circumstances; providing that a person convicted and sentenced under the provisions~~
12 ~~of this Act is ineligible for parole; and generally relating to murder of a police officer~~
13 expanding the Edward T. Conroy and Mary A. Conroy Memorial Scholarship
14 Program and the Jean B. Cryor Memorial Scholarship Program to include certain
15 postsecondary institutions outside the State as eligible institutions that may award
16 scholarships under the programs; and generally relating to the Edward T. Conroy
17 and Mary A. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial
18 Scholarship Program.

19 ~~BY adding to~~

20 ~~Article – Criminal Law~~

21 ~~Section 2-211~~

22 ~~Annotated Code of Maryland~~

23 ~~(2021 Replacement Volume and 2021 Supplement)~~

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.



1 ~~BY adding to~~

2 ~~Article — Correctional Services~~

3 ~~Section 7-301(f)~~

4 ~~Annotated Code of Maryland~~

5 ~~(2017 Replacement Volume and 2021 Supplement)~~

6 BY repealing and reenacting, with amendments,

7 Article — Education

8 Section 18-103 and 18-601

9 Annotated Code of Maryland

10 (2018 Replacement Volume and 2021 Supplement)

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

13 ~~Article — Criminal Law~~

14 ~~§ 2-211.~~

15 ~~(A) THIS SECTION DOES NOT APPLY TO A FIRST DEGREE MURDER THAT IS A~~
16 ~~FIRST DEGREE MURDER SOLELY BECAUSE IT WAS COMMITTED IN THE~~
17 ~~PERPETRATION OF OR ATTEMPT TO PERPETRATE AN OFFENSE LISTED UNDER §~~
18 ~~2-201(A)(4) OF THIS SUBTITLE.~~

19 ~~(B) (1) (i) A PERSON MAY NOT COMMIT MURDER IN THE FIRST DEGREE~~
20 ~~OF A POLICE OFFICER IF THE PERSON KNOWS, SUSPECTS, OR REASONABLY SHOULD~~
21 ~~KNOW OR SUSPECT THAT THE VICTIM IS A POLICE OFFICER.~~

22 ~~(H) A PERSON MAY NOT ATTEMPT OR CONSPIRE TO COMMIT~~
23 ~~FIRST DEGREE MURDER OF A POLICE OFFICER IF THE PERSON KNOWS, SUSPECTS,~~
24 ~~OR REASONABLY SHOULD KNOW OR SUSPECT THAT THE VICTIM IS A POLICE~~
25 ~~OFFICER.~~

26 ~~(2) (i) A PERSON MAY NOT COMMIT OR CONSPIRE TO COMMIT~~
27 ~~MURDER IN THE SECOND DEGREE OF A POLICE OFFICER IF THE PERSON KNOWS,~~
28 ~~SUSPECTS, OR REASONABLY SHOULD KNOW OR SUSPECT THAT THE VICTIM IS A~~
29 ~~POLICE OFFICER.~~

30 ~~(H) A PERSON MAY NOT ATTEMPT TO COMMIT MURDER IN THE~~
31 ~~SECOND DEGREE OF A POLICE OFFICER IF THE PERSON KNOWS, SUSPECTS, OR~~
32 ~~REASONABLY SHOULD KNOW OR SUSPECT THAT THE VICTIM IS A POLICE OFFICER.~~

33 ~~(C) (1) (i) A PERSON WHO VIOLATES SUBSECTION (B)(1)(i) OF THIS~~
34 ~~SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO~~
35 ~~IMPRISONMENT FOR LIFE.~~

1 ~~(H) A PERSON WHO VIOLATES SUBSECTION (B)(1)(H) OF THIS~~
2 ~~SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO~~
3 ~~IMPRISONMENT NOT EXCEEDING LIFE.~~

4 ~~(2) (I) A PERSON WHO VIOLATES SUBSECTION (B)(2)(I) OF THIS~~
5 ~~SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO~~
6 ~~IMPRISONMENT NOT EXCEEDING 40 YEARS.~~

7 ~~(H) A PERSON WHO VIOLATES SUBSECTION (B)(2)(H) OF THIS~~
8 ~~SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO~~
9 ~~IMPRISONMENT NOT EXCEEDING 30 YEARS.~~

10 ~~(3) NOTWITHSTANDING § 2-203 OF THIS SUBTITLE, A PERSON~~
11 ~~SENTENCED UNDER THIS SUBSECTION IS NOT ELIGIBLE FOR PAROLE.~~

12 ~~(D) (1) THIS SUBSECTION APPLIES TO A CONVICTION FOR:~~

13 ~~(I) MURDER IN THE FIRST DEGREE;~~

14 ~~(H) ATTEMPTED MURDER IN THE FIRST DEGREE;~~

15 ~~(HH) CONSPIRACY TO COMMIT MURDER IN THE FIRST DEGREE;~~

16 ~~(IV) MURDER IN THE SECOND DEGREE;~~

17 ~~(V) ATTEMPTED MURDER IN THE SECOND DEGREE; AND~~

18 ~~(VI) CONSPIRACY TO COMMIT MURDER IN THE SECOND DEGREE.~~

19 ~~(2) A CONVICTION FOR AN OFFENSE LISTED IN PARAGRAPH (1) OF~~
20 ~~THIS SUBSECTION AND A CONVICTION UNDER THIS SECTION FOR THE SAME ACT OR~~
21 ~~TRANSACTION SHALL MERGE FOR SENTENCING PURPOSES INTO ONE CONVICTION~~
22 ~~UNDER THIS SECTION.~~

23 ~~Article - Correctional Services~~

24 ~~7-301.~~

25 ~~(F) (1) AN INMATE WHO IS SERVING A TERM OF IMPRISONMENT FOR A~~
26 ~~VIOLATION OF § 2-211 OF THE CRIMINAL LAW ARTICLE IS NOT ELIGIBLE FOR~~
27 ~~PAROLE CONSIDERATION AND MAY NOT BE GRANTED PAROLE AT ANY TIME DURING~~
28 ~~THE INMATE'S SENTENCE.~~

~~(2) THIS SUBSECTION DOES NOT RESTRICT THE AUTHORITY OF THE GOVERNOR TO PARDON OR REMIT ANY PART OF A SENTENCE UNDER § 7-601 OF THIS TITLE.~~

Article – Education

18-103.

Except as otherwise provided in Subtitles 3, 4, 5, 6, and 12 of this title, a scholarship, grant, loan, or other student financial assistance awarded by the Office may be used only at a public or private nonprofit institution of higher education in this State that possesses a certificate of approval from the Commission.

18-601.

(a) (1) In this section the following words have the meanings indicated.

(2) “Disabled public safety employee” means a State or local public safety employee who sustains an injury in the line of duty that:

(i) Precludes the individual from continuing to serve or be employed as a State or local public safety employee; and

(ii) In the case of a volunteer member of a fire department or ambulance or rescue company or squad, precludes the member from continuing to be employed in the nonpublic safety occupation in which the member is engaged at the time of the injury.

(3) “Fund” means the Edward T. Conroy and Jean B. Cryor Scholarship Fund.

(4) “School employee” includes an employee of a public or nonpublic school in the State.

(5) “State or local public safety employee” means a person who is employed in the State as:

(i) A career or volunteer member of a:

1. Fire department;

2. Ambulance company or squad; or

3. Rescue company or squad;

(ii) A law enforcement officer;

1 (iii) A correctional officer; or

2 (iv) A member of the Maryland National Guard who was a resident
3 of this State at the time of death.

4 (6) “Surviving spouse” means a person who has not remarried.

5 (7) “Victim of the September 11, 2001, terrorist attacks” means a Maryland
6 resident who was killed as a result of the attacks on the World Trade Center in New York
7 City, the attack on the Pentagon in Virginia, or the crash of United Airlines Flight 93 in
8 Pennsylvania.

9 (b) There is a program of scholarships that are awarded by eligible postsecondary
10 institutions under this section.

11 (c) (1) The program for military and public safety personnel and their eligible
12 dependents is the Edward T. and Mary A. Conroy Memorial Scholarship Program.

13 (2) The program for eligible dependents of public and nonpublic school
14 employees is the Jean B. Cryor Memorial Scholarship Program.

15 (d) (1) A person may apply to an eligible postsecondary institution for a
16 scholarship under this section if the person:

17 (i) 1. Is accepted for admission or enrolled in the regular
18 undergraduate, graduate or professional program at an eligible institution **IN THE STATE**
19 **OR OUTSIDE THE STATE**; or

20 2. Is enrolled in a 2–year terminal certificate program in
21 which the course work is acceptable for transfer credit for an accredited baccalaureate
22 program in an eligible institution **IN THE STATE OR OUTSIDE THE STATE**;

23 (ii) Is at least 16 years old; and

24 (iii) Meets the other eligibility criteria specified in this section.

25 (2) To apply for a scholarship under this section, the following persons are
26 required to be a resident of Maryland at the time of application or at the time of the
27 disabling or fatal event:

28 (i) A son, daughter, stepson, or stepdaughter of a member of the
29 armed forces who:

30 1. Died as a result of military service after December 7, 1941;

31 2. Suffered a service connected 100% permanent disability
32 after December 7, 1941; or

1 3. Was declared to be a prisoner of war or missing in action,
2 if that occurred on or after January 1, 1960, as a result of the Vietnam conflict, and if the
3 child was born prior to or while the parent was a prisoner of war or missing in action;

4 (ii) A prisoner of war or missing in action, if that occurred on or after
5 January 1, 1960, as a result of the Vietnam conflict and was a resident of this State at the
6 time the person was declared to be a prisoner of war or missing in action;

7 (iii) A veteran, as defined under § 9-901 of the State Government
8 Article, who:

9 1. Suffers a service connected disability of 25% or greater;
10 and

11 2. Has exhausted or is no longer eligible for federal veterans'
12 educational benefits;

13 (iv) The surviving spouse of a member of the armed forces who
14 suffered a service connected 100% permanent disability;

15 (v) A son, daughter, stepson, or stepdaughter of or the surviving
16 spouse of a victim of the September 11, 2001, terrorist attacks;

17 (vi) A son, daughter, stepson, or stepdaughter of a school employee
18 who, as a result of an act of violence:

19 1. Died in the line of duty; or

20 2. Sustained an injury in the line of duty that rendered the
21 school employee 100% disabled; or

22 (vii) The surviving spouse of a school employee who, as a result of an
23 act of violence:

24 1. Died in the line of duty; or

25 2. Sustained an injury in the line of duty that rendered the
26 school employee 100% disabled.

27 (3) To apply for a scholarship under this section, the following persons are
28 not required to be a resident of Maryland at the time of application or at the time of the
29 disabling or fatal event:

30 (i) 1. A son, daughter, stepson, or stepdaughter of any State or
31 local public safety employee killed in the line of duty; or

1 2. The surviving spouse of any State or local public safety
2 employee killed in the line of duty; or

3 (ii) 1. A disabled public safety employee;

4 2. A son, daughter, stepson, or stepdaughter of a disabled
5 public safety employee who sustains an injury in the line of duty that renders the public
6 safety employee 100% disabled; or

7 3. The surviving spouse of a disabled public safety employee
8 who sustains an injury in the line of duty that renders the public safety employee 100%
9 disabled.

10 (e) A scholarship awarded under this section:

11 (1) May be used for the tuition and mandatory fees at any eligible
12 institution; and

13 (2) May not:

14 (i) Exceed the equivalent annual tuition and mandatory fees of a
15 resident undergraduate student at the 4-year public institution of higher education within
16 the University System of Maryland, other than the University of Maryland Global Campus
17 and University of Maryland, Baltimore Campus, with the highest annual expenses for a
18 full-time resident undergraduate; and

19 (ii) Be less than the lesser of:

20 1. \$3,000; or

21 2. The equivalent annual tuition and mandatory fees of a
22 resident of the institution attended by the recipient of the scholarship.

23 (f) (1) Each postsecondary institution shall determine the eligibility of
24 persons who apply to the institution for the Edward T. Conroy Memorial Scholarship
25 Program and the Jean B. Cryor Memorial Scholarship Program.

26 (2) Funds for the Edward T. Conroy Memorial Scholarship Program and
27 the Jean B. Cryor Memorial Scholarship Program shall be allocated by the Commission to
28 each postsecondary institution based on the number of eligible recipients attending each
29 institution.

30 (3) In October and February of each year, each postsecondary institution
31 shall report to the Commission the number of eligible recipients attending the institution.

32 (4) The Commission shall allocate funds for awards to postsecondary
33 institutions upon verification of eligible recipients attending the institutions.

1 (5) If funds cannot be allocated in the fiscal year in which awards are made,
2 priority shall be given to allocating funds for those awards in the following fiscal year.

3 (g) (1) Each recipient of a scholarship under this section may hold the award
4 for 5 years of full-time study or 8 years of part-time study.

5 (2) The number of eligible recipients under subsection (d)(2)(iii) of this
6 section shall be limited to 15 each year.

7 (3) An award provided under subsection (d)(2)(v) of this section may not
8 exceed the amount specified in subsection (e)(2) of this section when combined with any
9 other scholarship received by a student based on the student's status as a child or spouse
10 of a victim of the September 11, 2001, terrorist attacks.

11 (h) (1) There is an Edward T. Conroy and Jean B. Cryor Scholarship Fund.

12 (2) The Commission shall administer the Fund.

13 (3) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of
14 the State Finance and Procurement Article.

15 (4) The State Treasurer shall hold the Fund and the Comptroller shall
16 account for the Fund.

17 (5) The Commission:

18 (i) May accept any gift or grant from any person for the Fund;

19 (ii) Shall use any gift or grant that it receives for a scholarship from
20 the programs; and

21 (iii) Shall deposit any gift or grant that it receives for the programs
22 with the State Treasurer.

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