E2 9lr1694 CF 9lr1627

By: Senator Bailey

22

23

Introduced and read first time: February 4, 2019

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning 2 Criminal Procedure - Supervised Probation - Convicted Sex Offenders 3 FOR the purpose of requiring a certain court, at sentencing for a crime that requires the 4 defendant to register as a certain sex offender, to order probation for a term of years 5 equal in length to a certain period of registration; and generally relating to sex 6 offenders and terms of probation. 7 BY repealing and reenacting, with amendments, 8 Article – Criminal Procedure 9 Section 6–222(a) 10 Annotated Code of Maryland 11 (2018 Replacement Volume) 12 BY repealing and reenacting, without amendments, Article – Criminal Procedure 13 Section 11-707 14 15 Annotated Code of Maryland (2018 Replacement Volume) 16 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 18 That the Laws of Maryland read as follows: Article - Criminal Procedure 19 20 6-222.21 A circuit court or the District Court [may]: (a)

MAY impose a sentence for a specified time and provide that a lesser

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

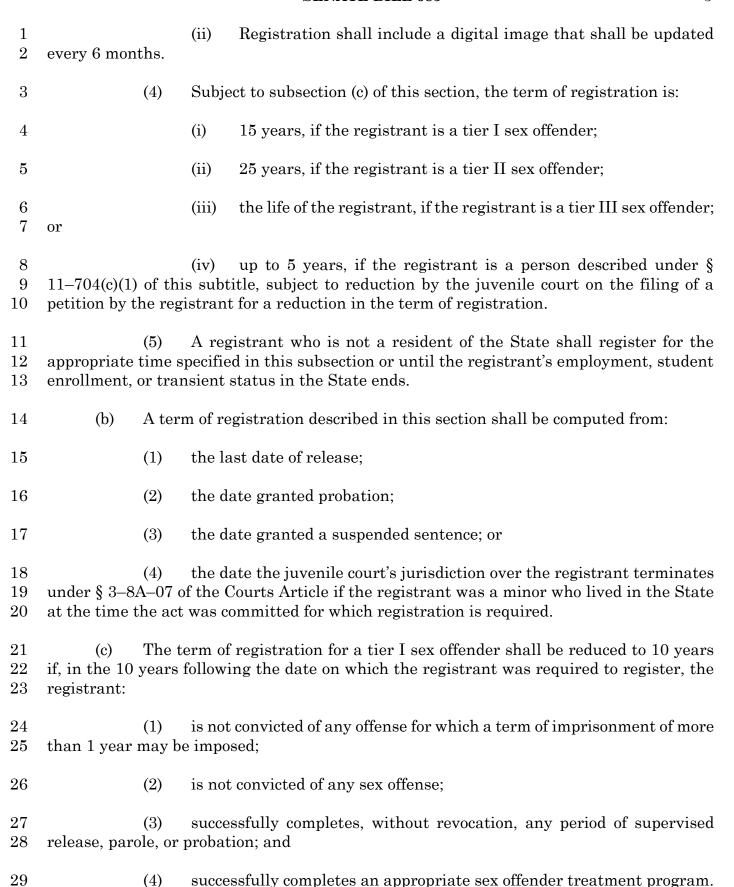
[Brackets] indicate matter deleted from existing law.

(1)

time be served in confinement:



1	(2) MAY suspend the remainder of the sentence; and
2 3	(3) (i) MAY order probation for a time longer than the sentence but, subject to subsections (b) and (c) of this section, not longer than:
4	1. 5 years if the probation is ordered by a circuit court; or
5	2. 3 years if the probation is ordered by the District Court; or
6 7 8 9 10 11	(ii) if a defendant IS convicted of [sexual abuse of a minor under § 3–602 of the Criminal Law Article, a crime involving a minor under § 3–303, § 3–304, or § 3–307 of the Criminal Law Article, or a crime involving a minor under § 3–305 or § 3–306 of the Criminal Law Article as the sections existed before October 1, 2017, consents in writing, order probation for a time longer than the sentence that was imposed on the defendant, but not longer than:
12	1. 10 years if the probation is ordered by a circuit court; or
13 14 15 16 17	2. 6 years if the probation is ordered by the District Court] AN OFFENSE THAT REQUIRES THE DEFENDANT TO REGISTER AS A SEX OFFENDER UNDER TITLE 11, SUBTITLE 7 OF THIS ARTICLE, SHALL ORDER, IN ADDITION TO ANY OTHER SENTENCE IMPOSED, PROBATION FOR A TERM OF YEARS EQUAL IN LENGTH TO THE APPLICABLE TERM OF REGISTRATION SPECIFIED IN § 11–707 OF THIS ARTICLE.
19	11–707.
20 21 22	(a) (1) (i) A tier I sex offender and a tier II sex offender shall register in person every 6 months with a local law enforcement unit for the term provided under paragraph (4) of this subsection.
23 24	(ii) Registration shall include a digital image that shall be updated every 6 months.
25 26 27	(2) (i) A tier III sex offender shall register in person every 3 months with a local law enforcement unit for the term provided under paragraph (4) of this subsection.
28 29	(ii) Registration shall include a digital image that shall be updated every 6 months.
30 31 32	(3) (i) A sexually violent predator shall register in person every 3 months with a local law enforcement unit for the term provided under paragraph (4) of this subsection.



- $\begin{array}{c} 1 \\ 2 \end{array}$ SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- October 1, 2019.