

**GUIDELINES
E-NEWS**



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**Revisions to the Guidelines Offense Table,
Effective November 1, 2009**

The Maryland State Commission on Criminal Sentencing Policy (MSCCSP) has revised the Guidelines Offense Table to reflect:

- (1) new offenses passed during the 2009 Legislative Session;
- (2) amended offenses passed during the 2009 Legislative Session; and
- (3) minor edits to the table.

These changes were submitted to the Code of Maryland Regulations (COMAR) and were adopted **effective November 1, 2009**. They are summarized briefly below. A print friendly version of the updated Guidelines Offense Table (Appendix A of the Maryland Sentencing Guidelines Manual) is available on the MSCCSP website at: www.msccsp.org/Files/Guidelines/offensetable.pdf. This file is searchable by key word, CJIS Code, Source, etc. Please discard any prior versions of the Guidelines Offense Table, as information contained within may no longer be accurate.

New Offenses, 2009 Legislative Session

Legislation	Statute	Offense	Statutory Maximum	Adopted Seriousness Category
House Bill 66	CR, §7-104(g)(1)(iii)	Theft, Crimes Involving Felony theft or theft-scheme, \$100,000 or greater	25 years	II
House Bill 66	CR, §7-104(g)(1)(ii)	Theft, Crimes Involving Felony theft or theft scheme, at least \$10,000 but less than \$100,000	15 years	IV
House Bill 66	CR, §7-104(g)(1)(i)	Theft, Crimes Involving Felony theft or theft scheme, at least \$1,000 but less than \$10,000	10 years	V
House Bill 66	CR, §7-104(g)(2)	Theft, Crimes Involving Misdemeanor theft or theft scheme, less than \$1,000	18 months	VII
House Bill 66	CR, §7-104(g)(4)	Theft, Crimes Involving Misdemeanor theft or theft scheme, less than \$1,000, 3 rd and subsequent	5 years	VI

Note: The theft offenses contained in House Bill 66 replace *Felony theft or theft-scheme, \$500 or greater* and *Misdemeanor theft or theft scheme, less than \$500*.

New Offenses, 2009 Legislative Session (cont.)

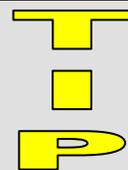
Legislation	Statute	Offense	Statutory Maximum	Adopted Seriousness Category
House Bill 539 Senate Bill 850	CR, §4-109(e)(2)	Weapons Crimes—In General Illegal possession of electronic control device (e.g., stun gun, taser) while committing a separate crime of violence	3 years	VI

Amended Offenses, 2009 Legislative Session

Legislation	Statute	Offense	Prior Stat. Max. / Seriousness Category	New Stat. Max. / Seriousness Category
House Bill 9 Senate Bill 99	CR, §11-208(b)(1)	Obscene Matter Possession of visual representations of persons younger than 16 years old engaged in certain sexual acts, 1st offense	2 years / VI	5 years / V
House Bill 9 Senate Bill 99	CR, §11-208(b)(2)	Obscene Matter Possession of visual representations of persons younger than 16 years old engaged in certain sexual acts, subsequent	5 years / V	10 years / IV
House Bill 267	FL, §9-305(a) FL, §9-307(b) (penalty)	Kidnapping and Related Crimes Abduction—child younger than 16 years old by relative outside State 30 days or less	30 days / VII	1 year / VII ^a
House Bill 267	FL, §9-305(a) FL, §9-307(c) (penalty)	Kidnapping and Related Crimes Abduction—child younger than 16 years old by relative outside State more than 30 days	1 year / VII	3 years / VI
House Bill 267	FL, §9-305(a) FL, §9-307(d) (penalty)	Kidnapping and Related Crimes Abduction—International parental kidnapping	3 years / V	5 years / V ^a

^aNo change to seriousness category.

Worksheet Completion



Please remember to record the amount of **ECONOMIC LOSS** in the designated space on the worksheet for all offenses involving **theft** and related crimes under Criminal Law Article, Title 7, and **fraud** and related crimes under Criminal Law Article, Title 8. The amount of economic loss equals the amount of restitution ordered by a Circuit Court judge or, if not ordered, the full amount of restitution that could have been ordered. If the amount is not known, please check the box for *Unknown Amount*. This information will allow the MSCCSP to complete a more detailed analysis of the actual loss to the victim.