

Revisions to the Guidelines Offense Table, Effective December 1, 2014

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

- (1) new offenses passed during the 2014 Legislative Session;
- (2) amended offenses passed during the 2014 Legislative Session; and
- (3) minor edits to the table.

These changes were adopted in the Code of Maryland Regulations (COMAR) **effective December 1, 2014**. 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 in prior versions may no longer be accurate.

New Offenses, 2014 Legislative Session

Legislation	Offense	Statute	Statutory Maximum	Adopted Seriousness Category
Chapter 115/116 SB 337/HB 306	Abuse and Other Offensive Conduct Commit crime of violence in the presence of a minor	CR, §3-601.1	5Y	VI
Chapter 238 HB 807/SB 742	Burglary and Related Crimes Home invasion ¹	CR, §6-202(d)	25Y	III
Chapter 229 HB 453	False Statements, Other False statement—to Department of Housing and Community Development, in document required under or to influence action on a Rental Housing Program loan	HS, §4-411	5Y	VII
Chapter 410 HB 553	False Statements, Other False statement—to Department of Housing and Community Development, in document required under or to influence action on an Energy-Efficient Homes Construction Loan Program loan	HS, §4-2005	5Y	VII
Chapter 153/399 SB 314/HB 402	Fraud, Miscellaneous Practicing naturopathic medicine without a license	HO, §14-5F-29	5Y	VI

¹ The MSCCSP classified *Home invasion* as a person offense.

New Offenses, 2014 Legislative Session (*continued*)

Legislation	Offense	Statute	Statutory Maximum	Adopted Seriousness Category
Chapter 237 HB 714/SB 810	Identity Fraud Use an interactive computer service to disclose personal identifying information of an individual in order to annoy, threaten, embarrass, or harass	CR, §8-301(b)(1) CR, §8-301(g)(4) (penalty)	18M	VII
Chapter 235 HB 695	Influencing or Intimidating Judicial Process Tampering with or fabricating physical evidence	CR, §9-307	3Y	V
Chapter 244 HB 957/SB 710	Motor Vehicle Offense Driving while impaired by alcohol, 3 rd or subsequent offense	TR, §27-101(f)(2), TR, §21-902(b)	3Y	V
Chapter 244 HB 957/SB 710	Motor Vehicle Offense Driving while impaired by alcohol, while transporting a minor, 3 rd or subsequent offense	TR, §27-101(q)(2)(iii), TR, §21-902(b)	4Y	V
Chapter 244 HB 957/SB 710	Motor Vehicle Offense Driving while impaired by drugs or drugs and alcohol, 3 rd or subsequent offense	TR, §27-101(f)(2), TR, §21-902(c)	3Y	V
Chapter 244 HB 957/SB 710	Motor Vehicle Offense Driving while impaired by drugs or drugs and alcohol, while transporting a minor, 3 rd or subsequent offense	TR, §27-101(q)(2)(iii), TR, §21-902(c)	4Y	V
Chapter 248/260 HB 1212/SB 348	Motor Vehicle Offense Use of text messaging device or handheld telephone while driving that causes an accident resulting in death or serious bodily injury	TR, §27-115 TR, §21-1124.3	1Y	VII
Chapter 119 SB 50/HB 955	Sexual Crimes Use of personal identifying information of an individual to invite another to commit sexual crime	CR, §3-325	20Y	IV
Chapter 583 HB 43	Stalking and Harassment Revenge porn	CR, §3-809	2Y	VII
Chapter 236 HB 697	Threat of Mass Violence Threatening to commit or cause a crime of violence that would place others at risk	CR, §3-1001	10Y	V

Amended Offenses with Changes to the Incarceration Penalty, 2014 Legislative Session

Legislation	Offense	Statute	Prior Stat. Max. / Seriousness Category	New Stat. Max. / Seriousness Category
Chapter 158 SB 364 ²	CDS and Paraphernalia Possession of less than 10 grams of marijuana	CR, §5-601(c)(2)(ii)	90 days / VII	fine only / NA
Chapter 144/145 SB 206/HB 175	Harboring, Escape, and Contraband Possess, possess with intent to deliver, receive telecommunication device or accessory	CR, §9-417	3 years / VI	5 years / VI
Chapter 168/420 SB 454/HB 701	Prostitution and Related Crimes Abduction—Persuade, entice, secrete, or harbor individual younger than 16 years old for the purpose of committing a sexual crime	CR, §11-305	10 years / III	25 years / II

²This bill made *Possession of less than 10 grams of marijuana* a civil offense punishable by a fine effective October 1, 2014. Since the guidelines apply only to criminal offenses, this offense was removed from the Guidelines Offense Table. *Possession of less than 10 grams of marijuana* occurring on/after October 1, 2014 is not a guidelines offense.