



Guidelines E-News

Vol. 15, No. 4 – November 2020



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Revisions to the Guidelines Offense Table

The MSCCSP has revised the Guidelines Offense Table to reflect:

- (1) classification of new and amended offenses passed during the 2020 Legislative Session;
- (2) classification of five previously unclassified offenses;
- (3) addition of five offenses with a maximum penalty of one year or less; and
- (4) minor edits to the table.

These changes were adopted in the Code of Maryland Regulations (COMAR) effective November 2, 2020. A print friendly version of the updated [Guidelines Offense Table](#) (Appendix A of the Maryland Sentencing Guidelines Manual) is available on the MSCCSP website. 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, 2020 Legislative Session

Legislation	Annotated Code of Maryland	Offense	Statutory Maximum	Adopted Seriousness Category
Chapters 21 and 22 (HB0005/SB0161)	CR, §10-305.1 CR, §10-306(a) (penalty)	Hate Crimes Use of an item or a symbol to threaten or intimidate	3 years	V
Chapters 128 and 129 (HB0246/SB0231) ¹	CR, §3-324(d)(2)	Sexual Crimes Sexual solicitation of a minor or law enforcement officer posing as a minor, subsequent	20 years	III

¹ This bill created a new separate maximum penalty for a subsequent offense effective October 1, 2020.

Amended Offenses with Changes to the Incarceration Penalty, 2020 Legislative Session

Legislation	Annotated Code of Maryland	Offense	Prior Stat. Max. / Seriousness Category	New Stat. Max. / Seriousness Category
Chapter 93 (HB0171)	CR, §10-620	Animals, Crimes Against Interfering with an equine	3 years / VI	1 year / VII

Amended Offenses with Changes to the Incarceration Penalty, 2020 Legislative Session (continued)

Legislation	Annotated Code of Maryland	Offense	Prior Stat. Max. / Seriousness Category	New Stat. Max. / Seriousness Category
Chapters 385 and 386 (HB0947/SB0169)	HO, §4-503(c) HO, §4-606(c) (penalty)	Fraud, Miscellaneous Conducting unauthorized dental laboratory work or advertising a dental appliance without a dental license	6 months / VII	2 years / VII
Chapters 385 and 386 (HB0947/SB0169)	HO, §4-601(a) HO, §4-602 HO, §4-606(a)(1)(i) (penalty)	Fraud, Miscellaneous Practicing dentistry without a license or misrepresentation as practitioner of dentistry, 1 st offense	6 months / VII	1 year / VII
Chapters 385 and 386 (HB0947/SB0169)	HO, §4-601(a) HO, §4-602 HO, §4-606(a)(1)(ii) (penalty)	Fraud, Miscellaneous Practicing dentistry without a license or misrepresentation as practitioner of dentistry, subsequent	1 year / VII	5 years / VI
Chapter 45 (HB0081) ¹	CR, §3-321	Sexual Crimes Sodomy	10 years / IV	N/A

¹ This bill repealed the crime of sodomy effective October 1, 2020. Since the guidelines apply only to criminal offenses, this offense was removed from the Guidelines Offense Table. *Sodomy* occurring on/after October 1, 2020, is not a guidelines offense.

Previously Unclassified Offenses

Annotated Code of Maryland	Offense	Statutory Maximum	Offense Type	Adopted Seriousness Category
Common Law	Counterfeiting Counterfeiting of private instruments and documents, not covered by CR, §8-601	LIFE	Property	V
Common Law	Counterfeiting Counterfeiting of public documents, not covered by CR, §8-605	LIFE	Property	V
Common Law	Counterfeiting Issuing counterfeit private instruments and documents, not covered by CR, §8-602	LIFE	Property	V
CR, §8-701	Estates, Crimes Against Embezzle, alter will or record	7 years	Property	VI
CJ, §10-4A-02(b)(1)(ii)	Stored Wire and Electronic Communications Access, Crimes Involving Obtaining, altering, or preventing authorized access to a wire or electronic communication while it is in electronic storage in an electronic communications system, subsequent	2 years	Property	VI

Previously Unlisted Offenses with a Maximum Penalty of One Year or Less

Annotated Code of Maryland	Offense	Statutory Maximum	Offense Type	Adopted Seriousness Category
HO, §14-5D-17 HO, §14-5D-18(a) (penalty)	Fraud, Miscellaneous Practicing athletic training without a license	1 year	Person	VII
HO, §§14-5E-20 – 14-5E-22 HO, §14-5E-23(a) (penalty)	Fraud, Miscellaneous Practicing perfusion without a license	1 year	Person	VII
HO, §§14-5B-17 – 14-5B-18.1 HO, §14-5B-19(a) (penalty)	Fraud, Miscellaneous Practicing radiation therapy, nuclear medicine technology, radiography, or radiology assistance without a license	1 year	Person	VII
HO, §§14-5A-20 – 14-5A-22.1 HO, §14-5A-23(a) (penalty)	Fraud, Miscellaneous Practicing respiratory care without a license	1 year	Person	VII
CJ, §10-4A-02(b)(1)(i)	Stored Wire and Electronic Communications Access, Crimes Involving Obtaining, altering, or preventing authorized access to a wire or electronic communication while it is in electronic storage in an electronic communications system, 1 st offense	1 year	Property	VII

Note: Offenses with a maximum penalty of one year or less do not generally require classification or inclusion in the Guidelines Offense Table because by MSCCSP rule, offenses with a maximum penalty of one year or less are automatically assigned a seriousness category VII. These offenses were added to the offense table for consistency purposes and/or due to their frequency and requests from practitioners.