



Guidelines E-News

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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 2021 Legislative Session;
- (2) classification of four previously unclassified offenses;
- (3) addition of five previously unlisted offenses with a maximum penalty of one year or less;
- (4) addition of one previously classified but unlisted offense with a maximum penalty greater than one year; and
- (5) minor edits to the table.

These changes were adopted in the Code of Maryland Regulations (COMAR) effective November 15, 2021. 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, 2021 Legislative Session

Legislation	Annotated Code of Maryland	Offense	Statutory Maximum	Adopted Seriousness Category
Chapters 178 and 179 (HB0234/SB0607)	CR, §10-626(c)(2)	Animals, Crimes Against Willfully and maliciously interfere with the use of a service animal	1Y	VII
Chapters 178 and 179 (HB0234/SB0607)	CR, §10-626(c)(1)	Animals, Crimes Against Willfully and maliciously kill or injure a service animal	2Y	VI
Chapter 144 (SB0017)	CR, §3-212.1(e)	Assault and Other Bodily Woundings Criminally negligent life-threatening injury by motor vehicle or vessel	1Y	VII
Chapter 60 (SB0071)	PS, §3-524(i)(2)	Assault and Other Bodily Woundings Intentional violation by a police officer of use of force standards resulting in serious physical injury or death to a person	10Y	IV
Chapters 681 and 682 (HB0240/SB0187)	CP, §17-102(j)(2)	Forensic Genealogy, Crimes Involving Willfully fail to destroy genetic genealogy information, forensic genetic genealogical (FGG) profiles, or DNA samples that are required to be destroyed in accordance with CP, §17-102(h)	1Y	VII

New Offenses, 2021 Legislative Session *(continued)*

Legislation	Annotated Code of Maryland	Offense	Statutory Maximum	Adopted Seriousness Category
Chapters 681 and 682 (HB0240/SB0187)	CP, §17-102(i)(2)	Forensic Genealogy, Crimes Involving Disclose genetic genealogy data, forensic genetic genealogical (FGG) profiles, or DNA samples not authorized by a court order in the course of a forensic genetic genealogical DNA analysis and search (FGGS), or in the course of any criminal proceeding that arises from an FGGS	5Y	V
Chapters 145 and 146 (HB00425/SB0623)	CR, §7-302(d)(4)	Telecommunications and Electronics, Crimes Involving Knowingly possess ransomware with the intent to use the ransomware for the purpose of introduction into the computer, computer network, or computer system of another person without the authorization of the other person	2Y	V
Chapters 11 and 35 (SB0208/HB0004 -- 2020) ¹	PS, §5-204.1(f)(1)	Weapons Crimes—In General Sell, rent, or transfer a rifle or shotgun by a person who is not a licensee; failure of licensee to comply with state and federal laws that apply to the sale, rental, or transfer of a rifle or shotgun; etc.	6M	VII
Chapters 11 and 35 (SB0208/HB0004 -- 2020) ¹	PS, §5-204.1(f)(2)	Weapons Crimes—In General Provide false information while conducting a transaction for the sale, rental, or transfer of a rifle or shotgun	3Y	VI
Chapters 11 and 35 (SB0208/HB0004 -- 2020) ¹	PS, §5-207	Weapons Crimes—In General Sell, rent, transfer, or loan a rifle or shotgun to restricted person (convicted of a disqualifying crime, fugitive, habitual drunkard, etc.)	5Y	VI

¹ This bill was passed by the Maryland Legislature and vetoed by the Governor in 2020. The Legislature overrode the veto, and the bill became law, per the Maryland Constitution, on February 12, 2021.

Previously Unclassified Offenses

Annotated Code of Maryland	Offense	Statutory Maximum	Offense Type	Adopted Seriousness Category
CR, §5-619(d)(3)	CDS and Paraphernalia Paraphernalia—deliver or sell, or manufacture or possess with intent to deliver or sell, drug paraphernalia, previous conviction for deliver drug paraphernalia to minor by adult who is 3 or more years older	2Y	Drug	VII

Previously Unclassified Offenses (continued)

Annotated Code of Maryland	Offense	Statutory Maximum	Offense Type	Adopted Seriousness Category
HG, §21-1215(b)(2) (penalty)	Fraud, Miscellaneous Violation of Maryland Food, Drug, and Cosmetic Act, subsequent	3Y	Property	VI
SG, §20-1103(c)(2)	Human Relations, Crimes Involving Injury, intimidation, or interference with protected housing activities because of a person's race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, national origin, or source of income—resulting in bodily injury	10Y	Person	IV
SG, §20-1103(c)(3)	Human Relations, Crimes Involving Injury, intimidation, or interference with protected housing activities because of a person's race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, national origin, or source of income—resulting in death	LIFE	Person	II

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

Annotated Code of Maryland	Offense	Statutory Maximum	Offense Type	Adopted Seriousness Category
HG, §5-514	Deceased Human Body, Crimes Involving Bury or dispose of body in unauthorized place	1Y	Person	VII
HG, §21-1215(b)(1) (penalty)	Fraud, Miscellaneous Violation of Maryland Food, Drug, and Cosmetic Act, 1 st offense	1Y	Property	VII
BR, §8-605 BR, §8-623 (penalty)	Home Improvement, Crimes Involving Abandon or fail to perform contract	6M	Property	VII
SG, §20-1103(c)(1)	Human Relations, Crimes Involving Injury, intimidation, or interference with protected housing activities because of a person's race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, national origin, or source of income	1Y	Person	VII
EN, §9-204 EN, §9-343(a)(1)(i) (penalty)	Public Health and Safety, Crimes Against Install, alter, or extend water supply systems, sewerage systems, or refuse disposal systems without a permit, etc., 1 st offense	1Y	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.

Previously Classified but Unlisted Offense with a Maximum Penalty Greater Than One Year

Annotated Code of Maryland	Offense	Statutory Maximum	Offense Type	Adopted Seriousness Category
RP, §7-321 (penalty)	Commercial Fraud, Other Other violation of any provision of Protection of Homeowners in Foreclosure Act, Real Property Article, Title 7, Subtitle 3	3Y	Property	VI