

### **CRIMINAL PROCEDURE – WARRANTLESS ARRESTS – THEFT CRIMES**

Expanding the authority of a police officer without a warrant to arrest a person suspected of committing a specified theft crime.

### **CRIMES – ELECTRONIC COMMUNICATION – HARASSMENT**

Prohibiting the use of electronic communication to maliciously engage in a course of conduct that alarms or seriously annoys another under specified circumstances; changing the defined term “electronic mail” to “electronic communication” and altering the definition; and making violation of the Act a misdemeanor punishable by imprisonment not exceeding 1 year or a fine not exceeding \$500 or both.

### **VEHICLE LAWS – NONFUNCTIONING TRAFFIC CONTROL SIGNALS – REQUIREMENT TO STOP**

Altering a provision of law requiring vehicular traffic to stop and take specified actions when approaching a nonfunctioning traffic control signal at specified intersections to apply the requirement to all intersections; and requiring vehicular traffic approaching a nonfunctioning traffic control signal at an intersection to stop in a specified manner, yield to other vehicles or pedestrians in the intersection, and remain stopped until it is safe to enter and continue through the intersection.

### **PEACE AND PROTECTIVE ORDERS – SHIELDING – COMPLETE REMOVAL OF INFORMATION FROM PUBLIC WEB SITE**

Clarifying the definition of “shielding” in provisions relating to the removal from the public Web site maintained by the Maryland Judiciary of specified court records relating to peace order or protective order proceedings.

### **JURY SERVICE – EMPLOYERS – PROHIBITED ACTS**

Prohibiting an employer from requiring an individual to work during a specified time period on a day in which the individual is expected to perform jury service or acts related to jury service, or on a day after the individual performs jury service or acts related to jury service; and prohibiting an employer from depriving an individual of employment or coercing, intimidating, or threatening to discharge an individual for exercising a specified right to refrain from work for performing jury service or acts relating to jury service.

### **FAMILY LAW – INTERIM AND TEMPORARY PEACE AND PROTECTIVE ORDERS – DURATION**

Extending the duration of an interim or temporary peace or protective order under specified circumstances; and requiring a court to hold a temporary or final peace or protective order hearing by a specified time under specified circumstances.

### **CRIMINAL LAW – POSSESSION OF MARIJUANA – DE MINIMIS QUANTITY**

Establishing that a person convicted of the use or possession of less than 10 grams of marijuana is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both; providing

that, unless specifically charged by the State, the use or possession of less than 10 grams of marijuana may not be considered a lesser included crime of any other crime; and providing that a specified sentence imposed under the Act shall be stayed under specified circumstances without requiring an appeal bond.

#### **JUVENILE LAW – TAKING CHILD INTO CUSTODY – ARREST WARRANT**

Authorizing an intake officer of the Department of Juvenile Services, after conducting a specified inquiry, to file with a court an application for an arrest warrant prepared by a law enforcement officer; specifying requirements relating to an application for an arrest warrant under the Act; providing that an arrest warrant under the Act may only be issued by the court on a finding of probable cause; etc.

#### **WRONGFUL DEATH AND SURVIVAL CAUSES OF ACTION – CRIMINAL HOMICIDE – TIME LIMITS FOR BRINGING CIVIL ACTION**

Providing that a wrongful death cause of action or survival cause of action arising from conduct that constitutes a criminal homicide under State or federal law accrues at a specified time under specified circumstances; establishing a presumption that a party should have discovered the identity of a person who contributed to a criminal homicide under specified circumstances; and providing for the retroactive application of the Act.

#### **VEHICLE LAWS – PROVISIONAL DRIVER’S LICENSES – DRIVER EDUCATION REQUIREMENTS**

Reducing the period of time that specified individuals at least 25 years old who hold a learner’s instructional permit are required to wait before taking an examination for a provisional driver’s license; altering specified driving practice requirements before taking examinations for a provisional driver’s license that apply to an individual at least 25 years old; etc.

#### **JUSTICE’S LAW**

Expanding the list of persons who can be convicted of first-degree child abuse under specified circumstances to include a family member or household member who has permanent or temporary care or the responsibility for the supervision of a minor; increasing the maximum penalty for first-degree child abuse resulting in death of the victim to imprisonment not exceeding 40 years; and increasing the maximum penalty for a subsequent conviction of child abuse resulting in death of the victim to imprisonment not exceeding 40 years.

#### **MOTOR VEHICLES – USE OF TEXT MESSAGING DEVICE WHILE DRIVING**

Altering the definition of “wireless communication device” to include a handheld or hands-free telephone but to remove from the definition a text messaging device; establishing that a specified prohibition against a minor using a wireless communication device while operating a motor vehicle does not apply to the use of a text messaging device; altering the enforcement provision of the prohibition against a minor texting while driving; etc.

#### **PUBLIC SAFETY – POSSESSION OF FIREARMS – CRIMES COMMITTED IN OTHER STATES**

Prohibiting a person from possessing a regulated firearm, rifle, or shotgun if the person was previously convicted of an offense under the laws of another state or the United States that would constitute a crime of violence or a violation of specified provisions of law if committed in Maryland.

#### **CRIMINAL LAW – MISDEMEANOR POSSESSION OF CHILD PORNOGRAPHY – STATUTE OF LIMITATIONS**

Increasing, from 1 to 2 years, the period of time within which a prosecution for misdemeanor possession of child pornography must be instituted after the offense was committed.

#### **CRIMINAL LAW – BETTING, WAGERING, AND GAMBLING – FANTASY COMPETITION**

Exempting fantasy competitions from Maryland gaming prohibitions; authorizing the Comptroller to adopt specified regulations; etc.

#### **CRIMINAL PROCEDURE – PROBATION BEFORE JUDGMENT – POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE**

Authorizing a court to impose probation before judgment for a second controlled dangerous substance crime if the court requires the defendant to graduate from drug court or successfully complete a substance abuse treatment program as a condition of probation and the defendant meets the requirement.

#### **CRIMINAL LAW – FAILURE TO RETURN RENTAL VEHICLE – NOTICE**

Providing that a person may not be prosecuted for the abandonment or refusal to return a rented motor vehicle if, within 5 days after a written demand for the return of the motor vehicle is mailed by regular mail and certified United States mail, return receipt requested, to the person who leased or rented the motor vehicle, the person returns or accounts for the motor vehicle to the person who delivered the motor vehicle; and providing that a prosecution may not be started until 5 days after the written demand is mailed.

#### **CRIMINAL PROCEDURE – EXPUNGEMENT – FILING ON BEHALF OF DECEASED PERSON**

Authorizing a person's attorney or personal representative to file a petition for expungement on behalf of the person if the person died before disposition of the underlying charge by nolle prosequi or dismissal; and providing for the retroactive application of the Act.

#### **CRIMES – THEFT FROM A MOTOR VEHICLE**

Prohibiting a person from being in or on the motor vehicle of another with the intent to commit theft of property that is on the motor vehicle; establishing a penalty for a violation of the Act; etc.

#### **CRIMINAL PROCEDURE – BAIL BONDSMAN SOLICITATION – PENALTY**

Prohibiting an employee of a courthouse or correctional facility from soliciting business as a bail bondsman on the grounds of a courthouse or correctional facility; clarifying that a specified person

at a specified location may not approach, entice, or invite a person to use the services of a specific bail bondsman; altering the penalties for a violation of the Act; etc.

#### CRIMINAL LAW – CONTROLLED DANGEROUS SUBSTANCES – MEPHEDRONE

Listing mephedrone and specified similar chemical compounds on Schedule I for purposes of designating controlled dangerous substances that may not be legally used, possessed, or distributed.

#### CRIMINAL PROCEDURE – RIGHT OF APPEAL FROM FINAL JUDGMENTS – CONDITIONAL GUILTY PLEA

Providing that an appeal from a final judgment entered following a conditional plea of guilty may be taken in accordance with the Maryland Rules; and defining “conditional plea of guilty”.

#### CRIMINAL PROCEDURE – CHARGING OR ARREST OF MINOR – NOTIFICATION OF PARENT OR GUARDIAN

Requiring a law enforcement officer who charges a minor with a criminal offense to make a reasonable attempt to notify the minor’s parent or guardian of the charge; and requiring a law enforcement officer or the officer’s designee who takes a minor into custody to make a reasonable attempt to notify the minor’s parent or guardian of the arrest within 48 hours of the arrest of the minor.

#### LIFE–THREATENING INJURY BY MOTOR VEHICLE OR VESSEL WHILE IMPAIRED BY A CONTROLLED DANGEROUS SUBSTANCE – PENALTY (AVA’S LAW)

Increasing the penalty for causing life–threatening injury as a result of negligently driving, operating, or controlling a motor vehicle or vessel while impaired by a controlled dangerous substance.

#### CRIMINAL PROCEDURE – CORAM NOBIS – FAILURE TO SEEK APPEAL

Providing that the failure to seek an appeal in a criminal case may not be construed as a waiver of the right to file a petition for writ of error coram nobis.

#### CRIMINAL PROCEDURE – UNEXECUTED WARRANT, SUMMONS, OR OTHER CRIMINAL PROCESS – INVALIDATION AND DESTRUCTION

Authorizing a law enforcement agency to make a specified request to a State’s Attorney to have a specified unexecuted warrant, summons, or other criminal process invalidated and destroyed under specified circumstances; authorizing the State’s Attorney to petition a specified administrative judge for the invalidation and destruction of a specified unexecuted warrant, summons, or other criminal process; etc.

#### DOMESTICALLY RELATED CRIMES – REPORTING

Requiring the court, on request of the State’s Attorney, to make a specified finding as to whether a crime for which a defendant is convicted or receives a probation before judgment disposition is a domestically related crime; requiring the State to bear the burden of proving by a preponderance of

the evidence that the crime is a domestically related crime; requiring a finding by the court that a crime is a domestically related crime to become part of the court record for specified purposes; etc.

#### **CRIMINAL PROCEDURE – EXPUNGEMENT OF CRIMINAL CHARGE TRANSFERRED TO JUVENILE COURT**

Altering provisions relating to the expungement of specified criminal records by authorizing a person to file, and requiring a court to grant, a petition for expungement of a criminal charge transferred to the juvenile court under specified circumstances; etc.

#### **CHILD SUPPORT – INCARCERATED OBLIGORS – SUSPENSION OF PAYMENTS AND ACCRUAL OF ARREARAGES**

Establishing that child support payments are not past due and arrearages may not accrue during any period when the obligor is incarcerated and for a specified period after the obligor's release from confinement under specified circumstances; authorizing the Child Support Enforcement Administration to adjust an incarcerated obligor's payment account in specified cases to reflect the suspension of the accrual of arrearages under the Act; etc.