

~~(2) THE RECOMMENDATIONS OF THE MARYLAND CRIMINAL SENTENCING POLICY COMMISSION CONCERNING THE SENTENCING GUIDELINES.~~

(B) THE SENTENCING GUIDELINES SHALL:

(1) SPECIFY THE RANGE OF SENTENCES APPLICABLE TO CRIMES OF A GIVEN DEGREE OF SERIOUSNESS;

(2) SPECIFY A RANGE OF INCREASED SEVERITY FOR DEFENDANTS PREVIOUSLY CONVICTED OF OR ADJUDICATED DELINQUENT FOR ONE OR MORE CRIMES BEFORE THE CURRENT OFFENSE; AND

(3) PROVIDE A LIST OF AGGRAVATING OR MITIGATING CIRCUMSTANCES.

(C) (1) THE COMMISSION SHALL ADOPT GUIDELINES TO IDENTIFY DEFENDANTS WHO WOULD BE APPROPRIATE FOR PARTICIPATION IN CORRECTIONS OPTIONS PROGRAMS.

(2) THE GUIDELINES FOR CORRECTIONS OPTIONS SHALL BE CONSIDERED BY THE SENTENCING COURT IN DETERMINING WHETHER TO SENTENCE A DEFENDANT TO CORRECTIONS OPTIONS OR THE ORDINARY SENTENCE OTHERWISE CALLED FOR BY THE SENTENCING GUIDELINES.

(3) IN DECIDING WHETHER TO SENTENCE A DEFENDANT TO CORRECTIONS OPTIONS, THE SENTENCING COURT SHALL GIVE PRIMARY CONSIDERATION TO PROTECTION OF PUBLIC SAFETY.

(D) (1) THE COMMISSION SHALL UNDERTAKE AN ANNUAL REVIEW OF SENTENCING POLICY AND PRACTICE AND MAKE A REPORT TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE ON OR BEFORE DECEMBER 1 OF EACH YEAR.

(2) THE ANNUAL REPORT SHALL INCLUDE ANY CHANGES TO THE GUIDELINES MADE DURING THE PRECEDING YEAR.

(3) (I) THE ANNUAL REPORT SHALL REVIEW JUDICIAL COMPLIANCE WITH THE GUIDELINES, INCLUDING COMPLIANCE BY OFFENSE AND BY JUDICIAL CIRCUIT.

(II) IN DETERMINING WHETHER A SENTENCE IS WITHIN THE GUIDELINES, THE COMMISSION SHALL CONSIDER A SENTENCE TO A CORRECTIONS OPTIONS PROGRAM AS BEING WITHIN THE GUIDELINES IF THE SENTENCE FALLS WITHIN A CORRECTIONS OPTIONS ZONE SHOWN ON THE MATRIX.

(E) (1) THE COMMISSION SHALL COLLECT SENTENCING GUIDELINES WORKSHEETS AND AUTOMATE THE INFORMATION WITH THE ASSISTANCE OF THE ADMINISTRATIVE OFFICE OF THE COURTS.

(2) THE COMMISSION SHALL MONITOR SENTENCING PRACTICE AND ~~RECOMMEND~~ ADOPT CHANGES TO THE GUIDELINE MATRICES CONSISTENT WITH THE INTENT OF THIS TITLE.