

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 822 – *Crimes – Factual Determinations That Enhance Penalties – Revision*.

This bill alters specified provisions of law which would have established new offenses to replace factual determinations that would have enhanced penalties.

Senate Bill 429, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 822.

Very truly yours,
Robert L. Ehrlich, Jr.
Governor

House Bill No. 822

AN ACT concerning

Crimes – Factual Determinations That Enhance Penalties – Revision

FOR the purpose of altering certain provisions of law to establish new offenses in place of factual determinations that enhance penalties; establishing the offense and clarifying the penalty for rape in the first degree and kidnapping involving a victim under a certain age; establishing the offense and clarifying the penalty for sexual offense in the first degree and kidnapping involving a victim under a certain age; establishing the offense and clarifying the penalty for the commission of certain handgun offenses while on public school property; establishing the offense and clarifying the penalty for certain handgun offenses with the deliberate purpose of injuring or killing another; establishing the offense and clarifying the penalties for manufacturing, distributing, dispensing, or possessing certain quantities of certain controlled dangerous substances; establishing the offense and clarifying the penalties for certain hate crime offenses that involve a separate crime or result in the death of the victim; repealing a certain redundant provision relating to harassment because of certain characteristics of another; establishing the offenses and clarifying the penalties for certain offenses relating to failing to stop or remain at the scene of an accident that results in bodily injury or death; establishing the offenses and clarifying the penalties for certain alcohol related offenses committed while transporting a minor; establishing the offenses and clarifying the penalties for certain offenses relating to eluding a police officer if the violation results in bodily injury or death; making certain technical corrections; making certain conforming changes; and generally relating to criminal offenses and factual determinations that enhance penalties.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–303, 3–305, 4–203(a) and (c), 5–612, 10–303, and 10–305