

CHAPTER 371

(House Bill 396)

AN ACT concerning

Penitentiary Misdemeanors – Statute of Limitations

FOR the purpose of setting forth, without amendment, the provisions of the Annotated Code of Maryland establishing certain criminal offenses as misdemeanors punishable by imprisonment in the penitentiary, ~~and the provision of the Courts Article of the Code excepting penitentiary misdemeanors from the one year statute of limitations applicable to most misdemeanors; confirming and clarifying that these offenses are not subject to a statute of limitations, notwithstanding the case of Massey v. State, 320 Md. 605, 579 A.2d 265 (1990);~~ establishing that notwithstanding Article 27, § 690(e) of the Code or the decision of the court in Massey v. State, 320 Md. 605, 579 A.2d 265 (1990), if a statute provides that a misdemeanor is punishable by imprisonment in the penitentiary, the State may institute a prosecution for the offense at any time; making the provisions of this Act severable; and generally relating to penitentiary misdemeanors.

BY repealing and reenacting, without amendments,

Article 27 – Crimes and Punishments

Section 9, 11, 12B(b), 23, 24, 26, 33A, 35C, 46, 47, 53, 80, 112, 113, 114, 115, 126, 127, 132, 139A, 163, 173, 174, 215, 229, 265, 374, 384, 439, 554, 558, 559 and 560

Annotated Code of Maryland

(1987 Replacement Volume and 1990 Supplement)

BY repealing and reenacting, without amendments,

Article 33 – Election Code

Section 24-1, 24-2 and 24-8

Annotated Code of Maryland

(1990 Replacement Volume)

BY repealing and reenacting, without amendments,

Article 48 – Inspections

Section 3

Annotated Code of Maryland

(1986 Replacement Volume and 1990 Supplement)

BY repealing and reenacting, without amendments,

Article 83A – Department of Economic and Employment Development

Section 612(c) and 6-2A-12(c)

Annotated Code of Maryland

(1988 Replacement Volume and 1990 Supplement)