

State House  
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 126.

This bill would clarify that misdemeanors which are punishable by imprisonment in the penitentiary are not subject to the one-year statute of limitations applicable to most misdemeanors.

House Bill 396, which was passed by the General Assembly and signed by me on May 14, 1991, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 126.

Sincerely,  
William Donald Schaefer  
Governor

Senate Bill No. 126

AN ACT concerning

**Penitentiary Misdemeanors – Statute of Limitations – Misdemeanors**

~~FOR the purpose of reversing the holding of the Maryland Court of Appeals in the case of Massey v. State, \_\_\_\_\_ Md. \_\_\_\_\_, 579 A.2d 265 (1990) by providing that a prosecution for a misdemeanor made punishable by confinement in the penitentiary by statute may be instituted at any time; and generally relating to the statute of limitations for misdemeanors.~~

*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); 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)*