

HOUSE BILL 806

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E3

2002 Regular Session
2lr2365
CF SB 473

By: **Delegate Donoghue**

Introduced and read first time: February 7, 2002

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Warrantless Arrests - School Security**

3 FOR the purpose of adding certain crimes relating to school security to a list of crimes
4 for which a police officer may arrest a person without a warrant if the police
5 officer has probable cause; and generally relating to warrantless arrests.

6 BY repealing and reenacting, with amendments,
7 Article - Criminal Procedure
8 Section 2-203
9 Annotated Code of Maryland
10 (2001 Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Criminal Procedure**

14 2-203.

15 (a) A police officer without a warrant may arrest a person if the police officer
16 has probable cause to believe:

17 (1) that the person has committed a crime listed in subsection (b) of this
18 section; and

19 (2) that unless the person is arrested immediately, the person:

20 (i) may not be apprehended;

21 (ii) may cause physical injury or property damage to another; or

22 (iii) may tamper with, dispose of, or destroy evidence.

23 (b) The crimes referred to in subsection (a)(1) of this section are:

- 1 (1) manslaughter by automobile, motor vehicle, locomotive, engine, car,
2 streetcar, train, vessel, or other vehicle under Article 27, § 388 of the Code;
- 3 (2) malicious burning under Article 27, § 8(a) of the Code or an attempt
4 to commit the crime;
- 5 (3) malicious mischief under Article 27, § 111 of the Code or an attempt
6 to commit the crime;
- 7 (4) a theft crime where the value of the property or services stolen is less
8 than \$500 under Article 27, §§ 342 and 342A of the Code or an attempt to commit the
9 crime;
- 10 (5) the crime of giving or causing to be given a false alarm of fire under
11 Article 27, § 156 of the Code;
- 12 (6) indecent exposure under Article 27, § 335A of the Code;
- 13 (7) a crime that relates to controlled dangerous substances under Article
14 27, §§ 276 through 302 of the Code or an attempt to commit the crime;
- 15 (8) the wearing, carrying, or transporting of a handgun under Article 27,
16 § 36B of the Code;
- 17 (9) carrying or wearing a concealed weapon under Article 27, § 36 of the
18 Code; [and]
- 19 (10) prostitution and related crimes under Article 27, §§ 426 through 431
20 of the Code;
- 21 (11) DISTURBING SCHOOL ACTIVITIES UNDER § 26-101(A) OF THE
22 EDUCATION ARTICLE; AND
- 23 (12) MOLESTING OR THREATENING STUDENTS OR SCHOOL PERSONNEL
24 UNDER § 26-101 (B) OF THE EDUCATION ARTICLE.
- 25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2002.