

# HOUSE BILL 701

E1

(4lr1724)

## ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by **Delegates Lee, Beidle, Bobo, Cardin, Carr, Cullison, DeBoy, Dumais, Dwyer, Frush, Gutierrez, Guzzone, Haddaway-Riccio, Healey, Howard, Jameson, Jones, A. Kelly, Lafferty, McComas, McDonough, A. Miller, Morhaim, Ready, S. Robinson, Rosenberg, Sophocleus, Stocksdale, F. Turner, Valderrama, and A. Washington**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Criminal Law – Child Kidnapping and Prostitution for the Purpose of**  
3 **Committing a Sexual Crime – Penalty**

4 FOR the purpose of ~~reclassifying as a felony a certain offense relating to child~~  
5 ~~kidnapping and prostitution involving a child under a certain age; altering the~~  
6 ~~penalty for a certain provision of law relating to child kidnapping and~~  
7 ~~prostitution involving an individual under a certain age; altering the elements~~  
8 of a certain prohibition involving persuading or enticing from a certain place or  
9 knowingly secreting or harboring an individual under a certain age for purposes  
10 of prostitution or committing a certain sexual crime so as to prohibit the act of  
11 persuading or enticing from a certain place and knowingly secreting or

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 harboring an individual under a certain age for the purpose of committing a  
 2 certain sexual crime; reclassifying the offense as a felony and altering the  
 3 maximum penalty of imprisonment; making a conforming change; and generally  
 4 relating to child kidnapping and prostitution.

5 BY repealing and reenacting, with amendments,  
 6 Article – Criminal Law  
 7 Section 11–305  
 8 Annotated Code of Maryland  
 9 (2012 Replacement Volume and 2013 Supplement)

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

12 **Article – Criminal Law**

13 11–305.

14 (a) For ~~purposes of~~ **THE PURPOSE OF** ~~prostitution or~~ committing a crime  
 15 under Title 3, Subtitle 3 of this article, a person may not:

16 (1) persuade or entice or aid in the persuasion or enticement of an  
 17 individual under the age of 16 years from the individual's home or from the custody of  
 18 the individual's parent or guardian; ~~or~~ **AND**

19 (2) knowingly secrete or harbor or aid in the secreting or harboring of  
 20 ~~an~~ **THE** individual ~~under the age of 16 years~~ who has been persuaded or enticed in the  
 21 manner described in item (1) of this subsection.

22 (b) A person who violates this section is guilty of a [misdemeanor] **FELONY**  
 23 and on conviction is subject to imprisonment not exceeding [10] ~~30~~ **25** years or a fine  
 24 not exceeding \$5,000 or both.

25 ~~(c) A person who violates this section is subject to § 5-106(b) of the Courts~~  
 26 ~~Article.~~

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 28 October 1, 2014.