

SENATE BILL 797

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By: **Senators Montgomery, Benson, Feldman, Jacobs, Jones-Rodwell, King, McFadden, and Robey**

Introduced and read first time: January 31, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

AN ACT concerning

Criminal Law – Assault – First Responders

FOR the purpose of prohibiting a person from intentionally causing physical injury to another if the person knows or has reason to know that the other is a firefighter, an emergency medical technician, a rescue squad member, or any other first responder engaged in providing emergency medical care or rescue services; applying certain penalties; and generally relating to assaults on first responders.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–203
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

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

Article – Criminal Law

3–203.

(a) A person may not commit an assault.

(b) Except as provided in subsection (c) of this section, a person who violates subsection (a) of this section is guilty of the misdemeanor of assault in the second degree and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$2,500 or both.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(c) (1) In this subsection, “physical injury” means any impairment of physical condition, excluding minor injuries.

(2) A person may not intentionally cause physical injury to another if the person knows or has reason to know that the other is:

(i) a law enforcement officer engaged in the performance of the officer’s official duties; [or]

(ii) a parole or probation agent engaged in the performance of the agent’s official duties; **OR**

(III) A FIREFIGHTER, AN EMERGENCY MEDICAL TECHNICIAN, A RESCUE SQUAD MEMBER, OR ANY OTHER FIRST RESPONDER ENGAGED IN PROVIDING EMERGENCY MEDICAL CARE OR RESCUE SERVICES.

(3) A person who violates paragraph (2) of this subsection is guilty of the felony of assault in the second degree and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$5,000 or both.

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