

Article - Criminal Law

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§3–503.

- (a) (1) A person may not, without color of right:
- (i) forcibly abduct, take, or carry away a child under the age of 12 years from:
 - 1. the home or usual place of abode of the child; or
 - 2. the custody and control of the child's parent or legal guardian;
 - (ii) without the consent of the child's parent or legal guardian, persuade or entice a child under the age of 12 years from:
 - 1. the child's home or usual place of abode; or
 - 2. the custody and control of the child's parent or legal guardian; or
 - (iii) with the intent of depriving the child's parent or legal guardian, or any person lawfully possessing the child, of the custody, care, and control of the child, knowingly secrete or harbor a child under the age of 12 years.
- (2) In addition to the prohibitions provided under paragraph (1) of this subsection, a person may not, by force or fraud, kidnap, steal, take, or carry away a child under the age of 16 years.
- (b) (1) A person who violates subsection (a)(1) of this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years.
- (2) (i) Except as provided under subparagraph (ii) of this paragraph, a person, other than a parent of the child, who violates subsection (a)(2) of this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 30 years.
- (ii) 1. If a person convicted under subsection (a)(2) of this section is convicted in the same proceeding of rape or a first degree sexual offense under Subtitle 3 of this title, the person is guilty of a felony and on conviction is subject to imprisonment not exceeding life without the possibility of parole.
2. If the State intends to seek a sentence of imprisonment for life without the possibility of parole under subparagraph 1 of this subparagraph, the State shall notify the person in writing of the State's intent at least 30 days before trial.

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