

SENATE BILL 1154

E1
HB 1371/16 – JUD

7lr3714

By: **Senator Oaks**

Introduced and read first time: February 27, 2017

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Assault by Strangulation or Suffocation – Penalties**

3 FOR the purpose of prohibiting a person from committing an assault by intentionally
4 strangling, suffocating, or impeding the normal breathing or circulation of blood of
5 another by applying pressure to the other person's throat or neck or by blocking the
6 other person's nose or mouth; providing that a person who violates this Act is guilty
7 of assault in the first degree; providing penalties for a violation of this Act; and
8 generally relating to assault by strangulation or suffocation.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 3–202
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2016 Supplement)

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

Article – Criminal Law

16
17 3–202.

18 (a) (1) A person may not intentionally cause or attempt to cause serious
19 physical injury to another.

20 (2) A person may not commit an assault with a firearm, including:

21 (i) a handgun, antique firearm, rifle, shotgun, short-barreled
22 shotgun, or short-barreled rifle, as those terms are defined in § 4–201 of this article;

23 (ii) an assault pistol, as defined in § 4–301 of this article;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (iii) a machine gun, as defined in § 4–401 of this article; and
2 (iv) a regulated firearm, as defined in § 5–101 of the Public Safety
3 Article.

4 **(3) A PERSON MAY NOT COMMIT AN ASSAULT BY INTENTIONALLY**
5 **STRANGLING, SUFFOCATING, OR IMPEDING THE NORMAL BREATHING OR**
6 **CIRCULATION OF BLOOD OF ANOTHER BY APPLYING PRESSURE TO THE OTHER**
7 **PERSON’S THROAT OR NECK OR BY BLOCKING THE OTHER PERSON’S NOSE OR**
8 **MOUTH.**

9 (b) A person who violates this section is guilty of the felony of assault in the first
10 degree and on conviction is subject to imprisonment not exceeding 25 years.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2017.