E1 8lr0923 CF 8lr3882

By: Delegates Ali, Gibson, R. Lewis, and Morhaim

Introduced and read first time: February 9, 2018

Assigned to: Judiciary

A BILL ENTITLED

1	AN ACT concerning
2 3	Criminal Law – Assault – Sentencing (Violence Prevention Education Act)
$4\\5\\6\\7$	FOR the purpose of requiring a court to order a certain defendant to participate in a certain program certified by the Office of Health Care Quality of the Maryland Department of Health, for a certain period of time, as a condition of sentencing; and generally relating to sentencing for the crime of assault.
8 9 10 11 12	BY repealing and reenacting, without amendments, Article – Criminal Law Section 3–201(a) and (b) Annotated Code of Maryland (2012 Replacement Volume and 2017 Supplement)
13 14 15 16 17	BY repealing and reenacting, with amendments, Article – Criminal Law Section 3–202 and 3–203 Annotated Code of Maryland (2012 Replacement Volume and 2017 Supplement)
18 19	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
20	Article – Criminal Law
21	3–201.
22	(a) In this subtitle the following words have the meanings indicated.
23	(b) "Assault" means the crimes of assault, battery, and assault and battery, which

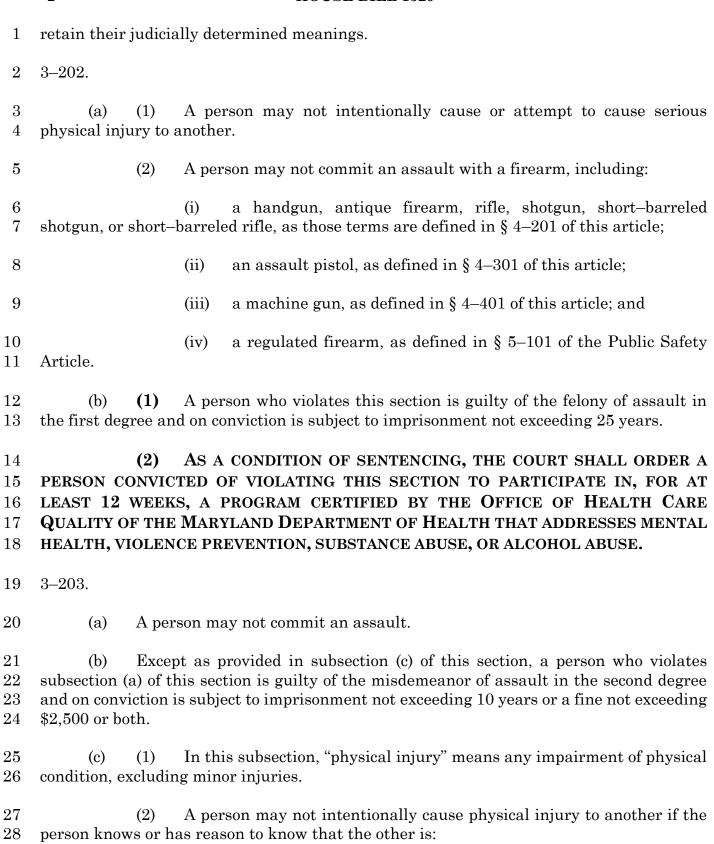


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(i)

officer's official duties;



a law enforcement officer engaged in the performance of the

- 1 (ii) a parole or probation agent engaged in the performance of the 2 agent's official duties; or
- 3 (iii) a firefighter, an emergency medical technician, a rescue squad 4 member, or any other first responder engaged in providing emergency medical care or 5 rescue services.
- 6 (3) A person who violates paragraph (2) of this subsection is guilty of the 7 felony of assault in the second degree and on conviction is subject to imprisonment not 8 exceeding 10 years or a fine not exceeding \$5,000 or both.
- 9 (D) AS A CONDITION OF SENTENCING, THE COURT SHALL ORDER A PERSON
 10 CONVICTED OF VIOLATING THIS SECTION TO PARTICIPATE IN, FOR AT LEAST 12
 11 WEEKS, A PROGRAM CERTIFIED BY THE OFFICE OF HEALTH CARE QUALITY OF THE
 12 MARYLAND DEPARTMENT OF HEALTH THAT ADDRESSES MENTAL HEALTH,
 13 VIOLENCE PREVENTION, SUBSTANCE ABUSE, OR ALCOHOL ABUSE.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.