
By: Senator Green

Introduced and read first time: February 1, 1996

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Court - Jurisdiction - Robbery**

3 FOR the purpose of providing that the Juvenile Court does not have jurisdiction over the
4 offense of robbery alleged to have been committed by a child at least 16 years old
5 except under a certain circumstance; and generally relating to juvenile court
6 jurisdiction.

7 BY repealing and reenacting, with amendments,
8 Article - Courts and Judicial Proceedings
9 Section 3-804(e)
10 Annotated Code of Maryland
11 (1995 Replacement Volume and 1995 Supplement)

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

14 **Article - Courts and Judicial Proceedings**

15 3-804.

16 (e) The court does not have jurisdiction over:

17 (1) A child at least 14 years old alleged to have done an act which, if
18 committed by an adult, would be a crime punishable by death or life imprisonment, as
19 well as all other charges against the child arising out of the same incident, unless an order
20 removing the proceeding to the court has been filed under Article 27, §594A of the Code;

21 (2) A child at least 16 years old alleged to have done an act in violation of
22 any provision of the Transportation Article or other traffic law or ordinance, except an
23 act that prescribes a penalty of incarceration;

24 (3) A child at least 16 years old alleged to have done an act in violation of
25 any provision of law, rule, or regulation governing the use or operation of a boat, except
26 an act that prescribes a penalty of incarceration; or

27 (4) A child at least 16 years old alleged to have committed anyof the
28 following crimes, as well as all other charges against the child arising out of the same
29 incident, unless an order removing the proceeding to the court has beenfiled under
30 Article 27, § 594A of the Code:

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- 1 (i) Abduction;
- 2 (ii) Kidnapping;
- 3 (iii) Second degree murder;
- 4 (iv) Manslaughter, except involuntary manslaughter;
- 5 (v) Mayhem or maiming in violation of Article 27, § 384, §385, or §
6 386 of the Code;
- 7 (vi) Second degree rape;
- 8 (vii) Robbery with a dangerous or deadly weapon or attempted robbery
9 with a dangerous or deadly weapon;
- 10 (VIII) ROBBERY;
- 11 [(viii)] (IX) Second degree sexual offense in violation of Article 27, §
12 464A(a)(1) of the Code;
- 13 [(ix)] (X) Third degree sexual offense in violation of Article 27, §
14 464B(a)(1) of the Code;
- 15 [(x)] (XI) A crime in violation of Article 27, § 36B, § 373, § 374, § 445,
16 § 446, § 481C, or § 481E of the Code;
- 17 [(xi)] (XII) Using, wearing, carrying, or transporting of firearm during
18 and in relation to a drug trafficking crime in violation of Article 27, § 281A of the Code;
- 19 [(xii)] (XIII) Use of a firearm in violation of Article 27, § 291A of the
20 Code;
- 21 [(xiii)] (XIV) Carjacking or armed carjacking in violation of Article 27, §
22 348A of the Code;
- 23 [(xiv)] (XV) Assault with intent to murder;
- 24 [(xv)] (XVI) Assault with intent to rape;
- 25 [(xvi)] (XVII) Assault with intent to rob; or
- 26 [(xvii)] (XVIII) Assault with intent to commit a sexual offense in the first
27 or second degree.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1996.