
By: Delegates Genn and E. Burns

Introduced and read first time: February 14, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Reckless Endangerment - Law Enforcement Officers and Security Guards**

3 FOR the purpose of eliminating conduct involving a law enforcement officer or security
4 guard in the performance of the officer's or security guard's official duty from the
5 types of conduct that do not constitute reckless endangerment; and generally
6 relating to reckless endangerment.

7 BY repealing and reenacting, with amendments,
8 Article 27 - Crimes and Punishments
9 Section 12A-2
10 Annotated Code of Maryland
11 (1996 Replacement Volume)

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

14 **Article 27 - Crimes and Punishments**

15 12A-2.

16 (a) (1) Any person who recklessly engages in conduct that creates a substantial
17 risk of death or serious physical injury to another person is guilty of the misdemeanor of
18 reckless endangerment and on conviction is subject to a fine of not more than \$5,000 or
19 imprisonment for not more than 5 years or both.

20 (2) Subject to the provisions of subsection (b) of this section, any person
21 who recklessly discharges a firearm from a motor vehicle in such a manner that it creates
22 a substantial risk of death or serious physical injury to another person is guilty of the
23 misdemeanor of reckless endangerment and on conviction is subject to a fine not
24 exceeding \$5,000 or imprisonment not exceeding 5 years or both.

25 (b) This section does not apply to any conduct involving:

26 (1) The use of a motor vehicle as defined in § 11-135 of the Transportation
27 Article;

28 (2) The manufacture, production, or sale of any product or commodity; OR

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1 (3) [A law enforcement officer or security guard in the performance of the
2 officer's or security guard's official duty; or

3 (4)] An individual acting in defense of a crime of violence.

4 (c) If more than one person is endangered by the conduct of the defendant, a
5 separate charge may be brought for each person endangered.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 1997.