
By: Senator Green

Introduced and read first time: January 31, 1997

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law - Jurisdiction - Robbery and Attempted Robbery**

3 FOR the purpose of eliminating the jurisdiction of the Juvenile Court over certain
4 offenses alleged to have been committed by children of at least a certain age; and
5 generally relating to the jurisdiction of the Juvenile Court.

6 BY repealing and reenacting, with amendments,
7 Article - Courts and Judicial Proceedings
8 Section 3-804(e)
9 Annotated Code of Maryland
10 (1995 Replacement Volume and 1996 Supplement)

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

13 **Article - Courts and Judicial Proceedings**

14 3-804.

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

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

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

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

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

2

1 (i) Abduction;

2 (ii) Kidnapping;

3 (iii) Second degree murder;

4 (iv) Manslaughter, except involuntary manslaughter;

5 (v) Second degree rape;

6 (vi) Robbery with a dangerous or deadly weapon;

7 (VII) ROBBERY;

8 [(vii)] (VIII) Second degree sexual offense in violation of Article 27, §
9 464A(a)(1) of the Code;

10 [(viii)] (IX) Third degree sexual offense in violation of Article 27, §
11 464B(a)(1) of the Code;

12 [(ix)] (X) A crime in violation of Article 27, § 36B, § 373, § 374, § 445,
13 § 446, § 481C, or § 481E of the Code;

14 [(x)] (XI) Using, wearing, carrying, or transporting of firearm during
15 and in relation to a drug trafficking crime in violation of Article 27, § 281A of the Code;

16 [(xi)] (XII) Use of a firearm in violation of Article 27, § 291A of the
17 Code;

18 [(xii)] (XIII) Carjacking or armed carjacking in violation of Article 27, §
19 348A of the Code;

20 [(xiii)] (XIV) Assault in the first degree in violation of Article 27, [§
21 12A-3] § 12A-1 of the Code;

22 [(xiv)] (XV) Attempted murder in the second degree in violation of
23 Article 27, § 411A of the Code;

24 [(xv)] (XVI) Attempted rape or attempted sexual offense in the
25 second degree under Article 27, § 464F of the Code; [or]

26 [(xvi)] (XVII) Attempted robbery with a dangerous or deadly weapon
27 under Article 27, § 488 of the Code; OR

28 (XVIII) ATTEMPTED ROBBERY.

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