

SENATE BILL 142

Unofficial Copy
E3
HB 529/97 - JUD

1998 Regular Session
8lr0279
CF 8lr0313

By: **Senator Hoffman**

Introduced and read first time: January 22, 1998

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Court - Jurisdiction - Robbery**

3 FOR the purpose of narrowing the original jurisdiction of the juvenile court by adding
4 the crimes of robbery and attempted robbery to a certain list of crimes over
5 which the juvenile court does not have jurisdiction under certain circumstances;
6 and generally relating to juvenile court 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 1997 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
20 order removing the proceeding to the court has been filed under Article 27, § 594A of
21 the Code;

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

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

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

5 (i) Abduction;

6 (ii) Kidnapping;

7 (iii) Second degree murder;

8 (iv) Manslaughter, except involuntary manslaughter;

9 (v) Second degree rape;

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

11 (VII) ROBBERY;

12 [(vii)] (VIII) Second degree sexual offense in violation of Article 27, §
13 464A(a)(1) of the Code;

14 [(viii)] (IX) Third degree sexual offense in violation of Article 27, §
15 464B(a)(1) of the Code;

16 [(ix)] (X) A crime in violation of Article 27, § 36B, § 373, § 374, § 445,
17 § 446, or § 481C of the Code;

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

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

23 [(xii)] (XIII) Carjacking or armed carjacking in violation of Article
24 27, § 348A of the Code;

25 [(xiii)] (XIV) Assault in the first degree in violation of Article 27, §
26 12A-1 of the Code;

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

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

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

33 (XVIII) ATTEMPTED ROBBERY.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1998.