

SENATE BILL 342

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1998 Regular Session
8r1255
CF 8r1256

By: **Senators Stone, Kelley, and Middlebrooks (Committee to Revise Article 27)**

Introduced and read first time: February 5, 1998

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Resisting Arrest and Interference with Law Enforcement Officers**

3 FOR the purpose of prohibiting a person from resisting a lawful arrest, knowingly
4 and intentionally interfering with certain arrests or attempted arrests of
5 another, or knowingly and intentionally interfering with law enforcement
6 officers engaged in certain duties; establishing penalties for a violation of this
7 Act; providing that a sentence may be imposed separate from and consecutive to
8 or concurrent with certain sentences for certain other offenses; providing that
9 the Committee Note contained in this Act is not law; and generally relating to
10 resisting arrest and interference with a law enforcement officer.

11 BY adding to
12 Article 27 - Crimes and Punishments
13 Section 26A
14 Annotated Code of Maryland
15 (1996 Replacement Volume and 1997 Supplement)

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

18 **Article 27 - Crimes and Punishments**

19 26A.

20 (A)(1) A PERSON MAY NOT RESIST A LAWFUL ARREST.

21 (2) A PERSON MAY NOT KNOWINGLY AND INTENTIONALLY INTERFERE
22 WITH A LAW ENFORCEMENT OFFICER WHO IS ATTEMPTING TO MAKE OR HAS MADE
23 AN ARREST OF ANOTHER.

24 (3) A PERSON MAY NOT KNOWINGLY AND INTENTIONALLY INTERFERE
25 WITH A LAW ENFORCEMENT OFFICER WHO IS ENGAGED IN THE LAWFUL
26 PERFORMANCE OF DUTY.

1 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
2 AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$2,500 OR
3 IMPRISONMENT FOR NOT MORE THAN 3 YEARS OR BOTH.

4 (C) A SENTENCE THAT IS IMPOSED FOR A VIOLATION OF THIS SECTION MAY
5 BE IMPOSED SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A
6 SENTENCE FOR ANY OTHER OFFENSE BASED ON THE ACT OR ACTS ESTABLISHING
7 THE VIOLATION.

8 COMMITTEE NOTE (COMMITTEE TO REVISE ARTICLE 27): This section is
9 intended to codify the common law offenses of resisting arrest, obstructing, hindering,
10 and interfering. No substantive changes are intended.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the Committee Note
12 contained in this Act is not law.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 1998.