

SENATE BILL 342

Unofficial Copy  
E1

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

---

Committee Report: Favorable  
Senate action: Adopted  
Read second time: March 4, 1998

---

CHAPTER \_\_\_\_\_

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.

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

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

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

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

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

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

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