

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL NO. 907

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, before “adding” insert “adding an offense for which a police officer may make a warrantless arrest;”; in line 12, before “increasing” insert “prohibiting threats of bodily harm to certain employees at home; providing for certain penalties;”; and after line 13, insert:

“BY repealing and reenacting, without amendments,

Article 27 - Crimes and Punishments

Section 594B(e)

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments

Section 594B(f)

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“Article 27 - Crimes and Punishments

594B.

(e) A police officer may arrest a person without a warrant if the officer has probable cause to believe:

(Over)

- (1) That an offense listed in subsection (f) of this section has been committed;
- (2) That the person has committed the offense; and

(3) That unless the person is immediately arrested:

(i) The person may not be apprehended;

(ii) The person may cause injury to the person or damage to the property of one or more other persons; or

(iii) The person may tamper with, dispose of, or destroy evidence.

(f) The offenses referred to in subsection (e) of this section are:

(1) Those offenses specified in the following sections of Article 27, as they may be amended from time to time:

(i) Section 8(a) (relating to malicious burning);

(ii) Section 36 (relating to carrying or wearing weapon) AND SECTION 36A (RELATING TO CARRYING OR POSSESSING DEADLY WEAPON UPON SCHOOL PROPERTY);

(iii) Section 111 (relating to destroying, injuring, etc., property of another);

(iv) Section 156 (relating to giving a false alarm of a fire);

(v) Section 287 (relating to possession of hypodermic syringes, etc., restricted);

(vi) Sections 342 through 344 (theft) where the value of the property stolen was less than \$300;

(vii) Sections 276 through 302 (relating to drugs and other dangerous substances) as they shall be amended from time to time;

(viii) Section 36B (relating to handguns);

(ix) Section 388 (relating to manslaughter by automobile, etc.); and

(x) Section 335A (relating to indecent exposure).

(2) Attempts to commit the offenses specified in the following sections of Article 27 as they may be amended from time to time:

(i) Section 8(a) (relating to malicious burning);

(ii) Section 111 (relating to destroying, injuring, etc., property of another);

(iii) Sections 342 through 344 (theft) where the value of the property stolen was less than \$300;

(iv) Section 33A (relating to breaking into a building or boat with intent to steal); or

(v) Sections 276 through 302 (relating to drugs and other dangerous substances), as they shall be amended from time to time.”.

On page 5, after line 15, insert:

“(C) A PERSON MAY NOT THREATEN WITH BODILY HARM ANY EMPLOYEE OF ANY INSTITUTION OF ELEMENTARY, SECONDARY, OR HIGHER EDUCATION AT HOME BY ANY MEANS, INCLUDING IN PERSON, BY TELEPHONE, OR BY ELECTRONIC MAIL. THIS PROHIBITION APPLIES ONLY TO THREATS ARISING OUT OF THE SCOPE OF THE EMPLOYEE'S EMPLOYMENT.”;

in lines 16 and 21, strike “(c)” and “(d)”, respectively, and substitute “(D)” and “(E)”, respectively; and in line 21, strike “subsection (a) or (b) of”.