

HOUSE BILL 232

Unofficial Copy
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1999 Regular Session
(91r0633)

ENROLLED BILL
-- Judiciary/Judicial Proceedings --

Introduced by **Delegates Hecht, Arnick, R. Baker, W. Baker, Barkley, Bartlett, Benson, Bobo, Boschert, Bozman, Branch, Brinkley, Bronrott, Brown, Burns, Busch, Cane, Conroy, D'Amato, C. Davis, D. Davis, DeCarlo, Dembrow, Dobson, Donoghue, Doory, Edwards, Elliott, Finifter, Franchot, Frush, Fulton, Getty, Giannetti, Griffith, Hixson, Howard, Hubers, Hurson, Hutchins, James, A. Jones, V. Jones, Kagan, Kirk, Kopp, Leopold, Love, Malone, McHale, McIntosh, McKee, Mitchell, Moe, Montague, Morhaim, O'Donnell, Patterson, Pendergrass, Petzold, Phillips, Pitkin, Riley, Rosenberg, Rosso, Rudolph, Shank, Shriver, Slade, Snodgrass, Sophocleus, Stern, Stull, Swain, Turner, and Zirkin**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Crimes - Unlawful Contact on Prison Employees by Inmates**

3 FOR the purpose of making it a misdemeanor for an inmate to maliciously cause or
4 attempt to cause certain employees of certain correctional facilities to come into
5 contact with ~~blood~~, seminal fluid, urine, or feces, or with blood under certain
6 circumstances; specifying a certain maximum fine and maximum term of
7 imprisonment; adding employees of sheriff's offices to those employees to which
8 certain offenses by inmates apply; providing certain sentencing procedures; and

1 generally relating to offenses by inmates against employees of correctional
2 facilities, jails, detention centers, and sheriff's offices.

3 BY repealing and reenacting, with amendments,
4 Article 27 - Crimes and Punishments
5 Section 12A-6
6 Annotated Code of Maryland
7 (1996 Replacement Volume and 1998 Supplement)

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

10 **Article 27 - Crimes and Punishments**

11 12A-6.

12 (a) Every inmate convicted of assault in any degree on another inmate or on
13 an employee of the Division of Correction, the Patuxent Institution, the Baltimore
14 City Detention Center, or any county jail [or], detention center, OR SHERIFF'S
15 OFFICE, regardless of employment capacity, shall be sentenced under this section.

16 (b) (1) AN INMATE WHO MALICIOUSLY CAUSES OR ATTEMPTS MAY NOT
17 MALICIOUSLY CAUSE OR ATTEMPT TO CAUSE ANY EMPLOYEE LISTED IN
18 SUBSECTION (A) OF THIS SECTION TO COME INTO CONTACT WITH ~~BLOOD;~~:

19 (I) SEMINAL FLUID, URINE, OR FECES; OR

20 (II) BLOOD, PROVIDED THAT THE CONTACT WITH THE BLOOD IS
21 NOT THE RESULT OF PHYSICAL INJURY RESULTING FROM PHYSICAL BODY CONTACT
22 BETWEEN THE INMATE AND THE EMPLOYEE.

23 (2) AN INMATE WHO VIOLATES PARAGRAPH (1) OF THIS SUBSECTION IS
24 GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT
25 MORE THAN ~~\$1,000~~ \$2,500 OR IMPRISONMENT FOR NOT MORE THAN 10 YEARS OR
26 BOTH.

27 (C) A sentence imposed under this section shall run consecutively to any
28 sentence that was being served at the time of the [assault] OFFENSE, or that had
29 been imposed but was not yet being served at the time of sentencing.

30 [(c)] (D) A sentence imposed under this section may not be suspended.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 1999.

