

HOUSE BILL 232

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HB 876/98 - JUD

1999 Regular Session
9lr0633
CF 9lr1186

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**

Introduced and read first time: February 1, 1999
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 9, 1999

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; specifying a certain maximum
6 fine and maximum term of imprisonment; adding employees of sheriff's offices
7 to those employees to which certain offenses by inmates apply; providing certain
8 sentencing procedures; and generally relating to offenses by inmates against
9 employees of correctional facilities, jails, detention centers, and sheriff's offices.

10 BY repealing and reenacting, with amendments,
11 Article 27 - Crimes and Punishments
12 Section 12A-6
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1998 Supplement)

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

1

Article 27 - Crimes and Punishments

2 12A-6.

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

7 (b) AN INMATE WHO MALICIOUSLY CAUSES OR ATTEMPTS TO CAUSE ANY
8 EMPLOYEE LISTED IN SUBSECTION (A) OF THIS SECTION TO COME INTO CONTACT
9 WITH BLOOD, SEMINAL FLUID, URINE, OR FECES IS GUILTY OF A MISDEMEANOR AND
10 ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN ~~\$1,000~~ \$2,500 OR
11 IMPRISONMENT FOR NOT MORE THAN 10 YEARS OR BOTH.

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

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

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