

SENATE BILL 377

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HB 876/98 - JUD

1999 Regular Session
9r1186
CF 9r0633

By: **Senator Jimeno**

Introduced and read first time: February 5, 1999

Assigned to: Judicial Proceedings

A BILL ENTITLED

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:

17 **Article 27 - Crimes and Punishments**

18 12A-6.

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

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

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

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

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