

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

Committee Report: Favorable with amendments
Senate 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, 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
9 generally relating to offenses by inmates against employees of correctional
10 facilities, jails, detention centers, and sheriff's offices.

11 BY repealing and reenacting, with amendments,
12 Article 27 - Crimes and Punishments
13 Section 12A-6
14 Annotated Code of Maryland
15 (1996 Replacement Volume and 1998 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 12A-6.

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

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

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

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

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

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

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

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