

HOUSE BILL 67

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HB 956/99 - JUD

2000 Regular Session
0lr0815

(PRE-FILED)

By: **Delegates D'Amato and Barkley**

Requested: November 4, 1999

Introduced and read first time: January 12, 2000

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Assault on Law Enforcement Officer**

3 FOR the purpose of making it a felony to intentionally commit an assault on certain
4 law enforcement officers under certain circumstances; providing a certain
5 mandatory penalty; and generally relating to the crime of assault.

6 BY repealing and reenacting, with amendments,
7 Article 27 - Crimes and Punishments
8 Section 12A-1
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 1999 Supplement)

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

13 **Article 27 - Crimes and Punishments**

14 12A-1.

15 (a) (1) A person may not intentionally cause or attempt to cause serious
16 physical injury to another.

17 (2) A person may not commit an assault with a firearm, including:

18 (i) A handgun, antique firearm, rifle, shotgun, short-barreled
19 shotgun, or short-barreled rifle, as those terms are defined in § 36F of this article;

20 (ii) An assault pistol, as defined in § 36H-1 of this article;

21 (iii) A regulated firearm, as defined in § 441 of this article; and

22 (iv) A machine gun, as defined in § 372 of this article.

1 (3) A PERSON MAY NOT INTENTIONALLY COMMIT AN ASSAULT ON
2 ANOTHER PERSON KNOWING OR HAVING REASON TO KNOW THAT THE OTHER
3 PERSON IS PERFORMING OFFICIAL DUTIES AS:

4 (I) A LAW ENFORCEMENT OFFICER AS DEFINED IN § 727(B) OF THIS
5 ARTICLE;

6 (II) AN OFFICER SERVING IN A PROBATIONARY STATUS;

7 (III) A PAROLE AND PROBATION OFFICER; OR

8 (IV) A LAW ENFORCEMENT OFFICER OF A JURISDICTION OUTSIDE
9 OF THE STATE.

10 (b) (1) [A] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A person who
11 violates this section is guilty of the felony of assault in the first degree and on
12 conviction is subject to imprisonment for not more than 25 years.

13 (2) A PERSON WHO VIOLATES SUBSECTION (A)(3) OF THIS SECTION
14 SHALL RECEIVE A TERM OF IMPRISONMENT OF AT LEAST 1 YEAR.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2000.