

HOUSE BILL 68

Unofficial Copy
E1

2003 Regular Session
3r1348
CF 3r0461

By: **Delegates Boschert, Barkley, Costa, Malone, McConkey, Moe, and Sophocleus**

Introduced and read first time: January 22, 2003

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 commit an assault on certain law
4 enforcement officers under certain circumstances; and generally relating to the
5 crime of assault.

6 BY repealing and reenacting, with amendments,
7 Article - Criminal Law
8 Section 3-202
9 Annotated Code of Maryland
10 (2002 Volume)

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

13 **Article - Criminal Law**

14 3-202.

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 § 4-201 of this article;

20 (ii) an assault pistol, as defined in § 4-301 of this article;

21 (iii) a machine gun, as defined in § 4-401 of this article; and

22 (iv) a regulated firearm, as defined in Article 27, § 441 of the Code.

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 ARTICLE 27, §
5 727(B) OF THE CODE;

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) A person who violates this section is guilty of the felony of assault in the
11 first degree and on conviction is subject to imprisonment not exceeding 25 years.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2003.