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2003 Regular Session 3lr0509

By: Senator Giannetti

Introduced and read first time: January 31, 2003

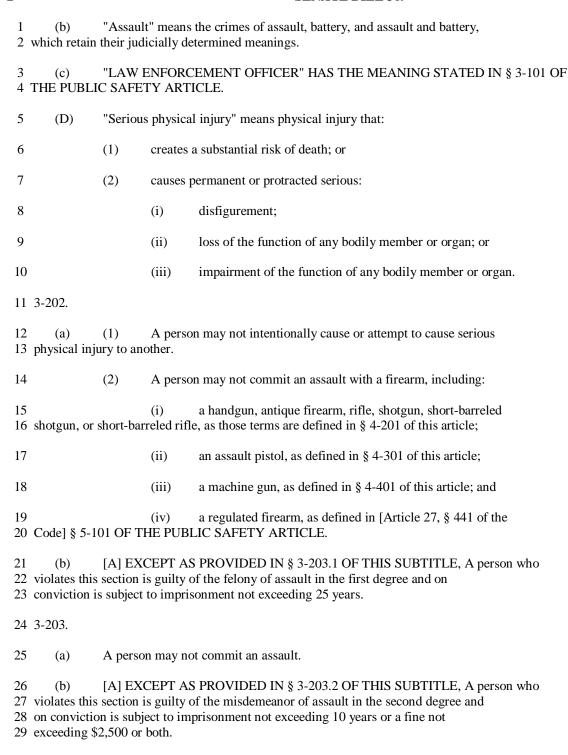
Assigned to: Judicial Proceedings

## A BILL ENTITLED

## 1 AN ACT concerning

## 2 Criminal Law - Assault Against a Law Enforcement Officer - Penalties

- 3 FOR the purpose of establishing the crimes of assault against a certain law
- 4 enforcement officer in the first and second degrees; prohibiting a person from
- 5 intentionally causing or attempting to cause serious physical injury to another
- 6 person knowing or having reason to know that the other person is a certain law
- 7 enforcement officer; prohibiting a person from committing an assault with
- 8 certain firearms against certain persons; prohibiting a person from committing
- 9 an assault against another person knowing or having reason to know that the
- other person is a certain law enforcement officer; establishing certain penalties;
- defining a certain term; and generally relating to assault against certain law
- 12 enforcement officers.
- 13 BY repealing and reenacting, with amendments,
- 14 Article Criminal Law
- 15 Section 3-201, 3-202, and 3-203
- 16 Annotated Code of Maryland
- 17 (2002 Volume)
- 18 BY adding to
- 19 Article Criminal Law
- 20 Section 3-203.1 and 3-203.2
- 21 Annotated Code of Maryland
- 22 (2002 Volume)
- 23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 24 MARYLAND, That the Laws of Maryland read as follows:
- 25 Article Criminal Law
- 26 3-201.
- 27 (a) In this subtitle the following words have the meanings indicated.



- 1 3-203.1.
- 2 (A) (1) A PERSON MAY NOT INTENTIONALLY CAUSE OR ATTEMPT TO CAUSE
- 3 SERIOUS PHYSICAL INJURY TO ANOTHER PERSON KNOWING OR HAVING REASON TO
- 4 KNOW THAT THE OTHER PERSON IS A LAW ENFORCEMENT OFFICER.
- 5 (2) A PERSON MAY NOT COMMIT AN ASSAULT WITH A FIREARM AGAINST
- 6 ANOTHER PERSON KNOWING OR HAVING REASON TO KNOW THAT THE OTHER
- 7 PERSON IS A LAW ENFORCEMENT OFFICER, INCLUDING WITH:
- 8 (I) A HANDGUN, ANTIQUE FIREARM, RIFLE, SHOTGUN,
- 9 SHORT-BARRELED SHOTGUN, OR SHORT-BARRELED RIFLE, AS THOSE TERMS ARE
- 10 DEFINED IN § 4-201 OF THIS ARTICLE;
- 11 (II) AN ASSAULT PISTOL, AS DEFINED IN § 4-301 OF THIS ARTICLE;
- 12 (III) A MACHINE GUN, AS DEFINED IN § 4-401 OF THIS ARTICLE; AND
- 13 (IV) A REGULATED FIREARM, AS DEFINED IN § 5-101 OF THE PUBLIC
- 14 SAFETY ARTICLE.
- 15 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE FELONY OF
- 16 ASSAULT AGAINST A LAW ENFORCEMENT OFFICER IN THE FIRST DEGREE AND ON
- 17 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 30 YEARS.
- 18 3-203.2.
- 19 (A) A PERSON MAY NOT COMMIT AN ASSAULT AGAINST ANOTHER PERSON
- 20 KNOWING OR HAVING REASON TO KNOW THAT THE OTHER PERSON IS A LAW
- 21 ENFORCEMENT OFFICER.
- 22 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE
- 23 MISDEMEANOR OF ASSAULT AGAINST A LAW ENFORCEMENT OFFICER IN THE
- 24 SECOND DEGREE AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
- 25 EXCEEDING 15 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.
- 26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
- 27 effect October 1, 2003.