
By: **Senators Garagiola, Forehand, Giannetti, Green, Haines, Hughes,
Jacobs, Jimeno, Mooney, and Stone**

Introduced and read first time: February 4, 2005

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 30, 2005

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law - Robbery – ~~Premises of Fiduciary Institution~~ by Display of**
3 **Written Instrument Claiming Possession of Dangerous Weapon - Penalty**

4 FOR the purpose of ~~establishing the crime of robbery or attempted robbery on the~~
5 ~~premises of certain fiduciary institutions; defining a certain term prohibiting a~~
6 ~~person from committing or attempting to commit a robbery by displaying a~~
7 ~~written instrument claiming that the person has possession of a dangerous~~
8 ~~weapon; establishing a certain penalties penalty for violation of this Act; and~~
9 ~~generally relating to robbery or attempted robbery on the premises of a fiduciary~~
10 ~~institution by display of a written instrument claiming possession of a~~
11 ~~dangerous weapon.~~

12 BY ~~adding to~~ repealing and reenacting, without amendments,

13 Article - Criminal Law

14 Section ~~3-406~~ 3-402

15 Annotated Code of Maryland

16 (2002 Volume and 2004 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article - Criminal Law

19 Section ~~44-101(a)~~ 3-403

20 Annotated Code of Maryland

21 (2002 Volume and 2004 Supplement)

22 BY ~~repealing and reenacting, without amendments,~~

23 Article ~~Financial Institutions~~

1 Section 1-301(b)
 2 Annotated Code of Maryland
 3 (2003 Replacement Volume and 2004 Supplement)

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

6 **Article - Criminal Law**

7 ~~3-406.~~

8 (A) ~~IN THIS SECTION, "FIDUCIARY INSTITUTION" HAS THE MEANING STATED~~
 9 ~~IN § 1-301 OF THE FINANCIAL INSTITUTIONS ARTICLE.~~

10 (B) ~~A PERSON MAY NOT COMMIT OR ATTEMPT TO COMMIT ROBBERY ON THE~~
 11 ~~PREMISES OF A FIDUCIARY INSTITUTION.~~

12 (C) ~~A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON~~
 13 ~~CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 30 YEARS.~~

14 ~~14-101.~~

15 (a) ~~In this section, "crime of violence" means:~~

16 (1) ~~abduction;~~

17 (2) ~~arson in the first degree;~~

18 (3) ~~kidnapping;~~

19 (4) ~~manslaughter, except involuntary manslaughter;~~

20 (5) ~~mayhem;~~

21 (6) ~~maiming, as previously proscribed under former Article 27, §§ 385~~

22 ~~and 386 of the Code;~~

23 (7) ~~murder;~~

24 (8) ~~rape;~~

25 (9) ~~robbery under [§ 3-402 or § 3-403] § 3-402, § 3-403, OR § 3-406 of this~~

26 ~~article;~~

27 (10) ~~carjacking;~~

28 (11) ~~armed carjacking;~~

29 (12) ~~sexual offense in the first degree;~~

30 (13) ~~sexual offense in the second degree;~~

1 (14) use of a handgun in the commission of a felony or other crime of
2 violence;

3 (15) an attempt to commit any of the crimes described in items (1)
4 through (14) of this subsection;

5 (16) assault in the first degree;

6 (17) assault with intent to murder;

7 (18) assault with intent to rape;

8 (19) assault with intent to rob;

9 (20) assault with intent to commit a sexual offense in the first degree; and

10 (21) assault with intent to commit a sexual offense in the second degree.

11 **Article—Financial Institutions**

12 ~~1-301.~~

13 (b) (1) "~~Fiduciary institution~~" means:

14 (i) A national banking association;

15 (ii) A State banking institution;

16 (iii) An other state bank that maintains a branch in this State;

17 (iv) A credit union that is organized under the laws of this State or
18 of the United States;

19 (v) Any other organization that is organized under the banking
20 laws of this State and subject to the supervision of the Commissioner; or

21 (vi) A savings and loan association that is organized under the laws
22 of this State or of the United States.

23 (2) "~~Fiduciary institution~~" does not include any person licensed by the
24 Commissioner under Title 11 of this article.

25 3-402.

26 (a) A person may not commit or attempt to commit robbery.

27 (b) A person who violates this section is guilty of a felony and on conviction is
28 subject to imprisonment not exceeding 15 years.

1 3-403.

2 (a) A person may not commit or attempt to commit robbery under § 3-402 of
3 this subtitle:

4 (1) with a dangerous weapon; OR

5 (2) BY DISPLAYING A WRITTEN INSTRUMENT CLAIMING THAT THE
6 PERSON HAS POSSESSION OF A DANGEROUS WEAPON.

7 (b) A person who violates this section is guilty of a felony and on conviction is
8 subject to imprisonment not exceeding 20 years.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 June 1, 2005.