

(PRE-FILED)

---

By: **Delegate Boschert**

Requested: August 3, 2005

Introduced and read first time: January 11, 2006

Assigned to: Judiciary

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law - Juvenile Court Jurisdiction**

3 FOR the purpose of establishing that the juvenile court does not have jurisdiction  
4 over a child of at least a certain age, except under certain circumstances;  
5 granting the District Court exclusive original jurisdiction over certain criminal  
6 cases in which the defendant is at least a certain age, except under certain  
7 circumstances; making certain technical and conforming changes; and generally  
8 relating to the jurisdiction of the juvenile court.

9 BY repealing and reenacting, with amendments,  
10 Article - Courts and Judicial Proceedings  
11 Section 3-8A-03 and 4-301  
12 Annotated Code of Maryland  
13 (2002 Replacement Volume and 2005 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article - Courts and Judicial Proceedings  
16 Section 3-8A-06  
17 Annotated Code of Maryland  
18 (2002 Replacement Volume and 2005 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article - Criminal Procedure  
21 Section 4-202, 4-202.2, 10-215, and 10-216  
22 Annotated Code of Maryland  
23 (2001 Replacement Volume and 2005 Supplement)

24 BY repealing and reenacting, with amendments,  
25 Article - Education  
26 Section 7-303  
27 Annotated Code of Maryland  
28 (2004 Replacement Volume and 2005 Supplement)

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

3 **Article - Courts and Judicial Proceedings**

4 3-8A-03.

5 (a) In addition to the jurisdiction specified in Subtitle 8 of this title, the court  
6 has exclusive original jurisdiction over:

7 (1) [A] EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A child who  
8 is alleged to be delinquent or in need of supervision or who has received a citation for  
9 a violation;

10 (2) Except as provided in subsection [(d)(6)] (D)(4) of this section, a peace  
11 order proceeding in which the respondent is a child; and

12 (3) Proceedings arising under the Interstate Compact on Juveniles.

13 (b) The court has concurrent jurisdiction over proceedings against an adult for  
14 the violation of § 3-8A-30 of this subtitle. However, the court may waive its  
15 jurisdiction under this subsection upon its own motion or upon the motion of any  
16 party to the proceeding, if charges against the adult arising from the same incident  
17 are pending in the criminal court. Upon motion by either the State's Attorney or the  
18 adult charged under § 3-8A-30 of this subtitle, the court shall waive its jurisdiction,  
19 and the adult shall be tried in the criminal court according to the usual criminal  
20 procedure.

21 (c) The jurisdiction of the court is concurrent with that of the District Court in  
22 any criminal case arising under the compulsory public school attendance laws of this  
23 State.

24 (d) The court does not have jurisdiction over:

25 (1) A child at least 14 years old alleged to have done an act which, if  
26 committed by an adult, would be a crime punishable by death or life imprisonment, as  
27 well as all other charges against the child arising out of the same incident, unless an  
28 order removing the proceeding to the court has been filed under § 4-202 of the  
29 Criminal Procedure Article;

30 (2) [A child at least 16 years old alleged to have done an act in violation  
31 of any provision of the Transportation Article or other traffic law or ordinance, except  
32 an act that prescribes a penalty of incarceration;

33 (3) A child at least 16 years old alleged to have done an act in violation of  
34 any provision of law, rule, or regulation governing the use or operation of a boat,  
35 except an act that prescribes a penalty of incarceration;

36 (4) A child at least 16 years old [alleged to have committed any of the  
37 following crimes, as well as all other charges against the child arising out of the same

1 incident], unless an order removing the proceeding to the court has been filed under  
2 § 4-202 of the Criminal Procedure Article]:

- 3 (i) Abduction;
- 4 (ii) Kidnapping;
- 5 (iii) Second degree murder;
- 6 (iv) Manslaughter, except involuntary manslaughter;
- 7 (v) Second degree rape;
- 8 (vi) Robbery under § 3-403 of the Criminal Law Article;
- 9 (vii) Second degree sexual offense under § 3-306(a)(1) of the  
10 Criminal Law Article;
- 11 (viii) Third degree sexual offense under § 3-307(a)(1) of the Criminal  
12 Law Article;
- 13 (ix) A crime in violation of § 5-133, § 5-134, § 5-138, or § 5-203 of  
14 the Public Safety Article;
- 15 (x) Using, wearing, carrying, or transporting a firearm during and  
16 in relation to a drug trafficking crime under § 5-621 of the Criminal Law Article;
- 17 (xi) Use of a firearm under § 5-622 of the Criminal Law Article;
- 18 (xii) Carjacking or armed carjacking under § 3-405 of the Criminal  
19 Law Article;
- 20 (xiii) Assault in the first degree under § 3-202 of the Criminal Law  
21 Article;
- 22 (xiv) Attempted murder in the second degree under § 2-206 of the  
23 Criminal Law Article;
- 24 (xv) Attempted rape in the second degree under § 3-310 of the  
25 Criminal Law Article or attempted sexual offense in the second degree under § 3-312  
26 of the Criminal Law Article;
- 27 (xvi) Attempted robbery under § 3-403 of the Criminal Law Article;  
28 or
- 29 (xvii) A violation of § 4-203, § 4-204, § 4-404, or § 4-405 of the  
30 Criminal Law Article];
- 31 [(5)] (3) A child who previously has been convicted as an adult of a  
32 felony and is subsequently alleged to have committed an act that would be a felony if

1 committed by an adult, unless an order removing the proceeding to the court has been  
2 filed under § 4-202 of the Criminal Procedure Article; or

3           [(6)]   (4)    A peace order proceeding in which the victim, as defined in §  
4 3-8A-01(cc)(1)(ii) of this subtitle, is a person eligible for relief, as defined in § 4-501  
5 of the Family Law Article.

6    [(e)    If the child is charged with two or more violations of the Maryland Vehicle  
7 Law, another traffic law or ordinance, or the State Boat Act, allegedly arising out of  
8 the same incident and which would result in the child being brought before both the  
9 court and a court exercising criminal jurisdiction, the court has exclusive jurisdiction  
10 over all of the charges.]

11 3-8A-06.

12   (a)    The court may waive the exclusive jurisdiction conferred by § 3-8A-03 of  
13 this subtitle with respect to a petition alleging delinquency by:

14           (1)    A child who is 15 years old or older; or

15           (2)    A child who has not reached his 15th birthday, but who is charged  
16 with committing an act which if committed by an adult, would be punishable by death  
17 or life imprisonment.

18   (b)    The court may not waive its jurisdiction under this section until after it  
19 has conducted a waiver hearing, held prior to an adjudicatory hearing and after  
20 notice has been given to all parties as prescribed by the Maryland Rules. The waiver  
21 hearing is solely to determine whether the court should waive its jurisdiction.

22   (c)    (1)    Notice of the waiver hearing shall be given to a victim as provided  
23 under § 11-104 of the Criminal Procedure Article.

24           (2)    (i)    A victim may submit a victim impact statement to the court as  
25 provided in § 11-402 of the Criminal Procedure Article.

26                   (ii)    This paragraph does not preclude a victim who has not filed a  
27 notification request form under § 11-104 of the Criminal Procedure Article from  
28 submitting a victim impact statement to the court.

29                   (iii)   The court may consider a victim impact statement in  
30 determining whether to waive jurisdiction under this section.

31   (d)    (1)    The court may not waive its jurisdiction under this section unless it  
32 determines, from a preponderance of the evidence presented at the hearing, that the  
33 child is an unfit subject for juvenile rehabilitative measures.

34           (2)    For purposes of determining whether to waive its jurisdiction under  
35 this section, the court shall assume that the child committed the delinquent act  
36 alleged.

1 (e) In making its determination, the court shall consider the following criteria  
2 individually and in relation to each other on the record:

3 (1) Age of the child;

4 (2) Mental and physical condition of the child;

5 (3) The child's amenability to treatment in any institution, facility, or  
6 program available to delinquents;

7 (4) The nature of the offense and the child's alleged participation in it;  
8 and

9 (5) The public safety.

10 (f) If jurisdiction is waived under this section, the court shall order the child  
11 held for trial under the regular procedures of the court which would have jurisdiction  
12 over the offense if committed by an adult. The petition alleging delinquency shall be  
13 considered a charging document for purposes of detaining the child pending a bail  
14 hearing.

15 (g) An order waiving jurisdiction is interlocutory.

16 (h) If the court has once waived its jurisdiction with respect to a child in  
17 accordance with this section, and that child is subsequently brought before the court  
18 on another charge of delinquency, the court may waive its jurisdiction in the  
19 subsequent proceeding after summary review.

20 4-301.

21 (a) Except as provided in [§§ 3-803, 3-8A-03, and 4-302] § 4-302 of this  
22 [article] SUBTITLE, the District Court has exclusive original jurisdiction in a  
23 criminal case in which a person at least 16 years old or a corporation is charged with  
24 violation of the vehicle laws, or the State Boat Act, or regulations adopted pursuant to  
25 the vehicle laws or State Boat Act.

26 (b) Except as provided in § 4-302 of this subtitle, the District Court also has  
27 exclusive original jurisdiction in a criminal case in which a person at least [18] 16  
28 years old or a corporation is charged with:

29 (1) Commission of a common-law or statutory misdemeanor regardless  
30 of the amount of money or value of the property involved;

31 (2) Violation of § 7-104, § 7-105, § 7-107, or § 7-108 of the Criminal Law  
32 Article, whether a felony or a misdemeanor;

33 (3) Violation of a county, municipal, or other ordinance, if the violation is  
34 not a felony;

35 (4) Criminal violation of a State, county, or municipal rule or regulation,  
36 if the violation is not a felony;

- 1 (5) Doing or omitting to do any act made punishable by a fine,  
2 imprisonment, or other penalty as provided by the particular law, ordinance, rule, or  
3 regulation defining the violation if the violation is not a felony;
- 4 (6) Violation of § 8-103 of the Criminal Law Article, whether a felony or  
5 a misdemeanor;
- 6 (7) Violation of §§ 8-203 through 8-209 of the Criminal Law Article,  
7 whether a felony or misdemeanor;
- 8 (8) Forgery or violation of Title 8, Subtitle 6 of the Criminal Law Article,  
9 whether a felony or misdemeanor;
- 10 (9) Violation of Title 27, Subtitle 4 of the Insurance Article, whether a  
11 felony or a misdemeanor;
- 12 (10) Violation of § 9-1106 of the Labor and Employment Article;
- 13 (11) Violation of § 8-301 of the Criminal Law Article, whether a felony or  
14 misdemeanor;
- 15 (12) Violation of § 2-209 of the Criminal Law Article;
- 16 (13) Violation of Title 2, Subtitle 5 of the Criminal Law Article;
- 17 (14) Violation of Title 11, Subtitle 5 of the Financial Institutions Article;
- 18 (15) Violation of §§ 10-604 through 10-608 of the Criminal Law Article,  
19 whether a felony or misdemeanor;
- 20 (16) Violation of Title 7, Subtitle 3, Part III of the Criminal Law Article,  
21 whether a felony or misdemeanor;
- 22 (17) Violation of § 20-102 of the Transportation Article, whether a felony  
23 or misdemeanor;
- 24 (18) Violation of § 8-801 of the Criminal Law Article;
- 25 (19) Violation of § 8-604 of the Criminal Law Article;
- 26 (20) Violation of Title 8, Subtitle 2, Part II of the Criminal Law Article;
- 27 (21) Violation of §§ 16-801 through 16-804 of the Election Law Article; or
- 28 (22) Violation of § 3-203(c) of the Criminal Law Article.

1 4-202.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) "Victim" has the meaning stated in § 11-104 of this article.

4 (3) "Victim's representative" has the meaning stated in § 11-104 of this  
5 article.

6 (b) Except as provided in subsection (c) of this section, a court exercising  
7 criminal jurisdiction in a case involving a child may transfer the case to the juvenile  
8 court before trial or before a plea is entered under Maryland Rule 4-242 if:

9 (1) the accused child was at least 14 but not 18 years of age when the  
10 alleged crime was committed;

11 (2) the alleged crime is excluded from the jurisdiction of the juvenile  
12 court under § 3-8A-03(d)(1), [(4), or (5)] (2), OR (3) of the Courts Article; and

13 (3) the court determines by a preponderance of the evidence that a  
14 transfer of its jurisdiction is in the interest of the child or society.

15 (c) The court may not transfer a case to the juvenile court under subsection (b)  
16 of this section if:

17 (1) the child previously has been transferred to juvenile court and  
18 adjudicated delinquent;

19 (2) the child was convicted in an unrelated case excluded from the  
20 jurisdiction of the juvenile court under § 3-8A-03(d)(1) or [(4)] (2) of the Courts  
21 Article; or

22 (3) the alleged crime is murder in the first degree and the accused child  
23 was 16 or 17 years of age when the alleged crime was committed.

24 (d) In determining whether to transfer jurisdiction under subsection (b) of this  
25 section, the court shall consider:

26 (1) the age of the child;

27 (2) the mental and physical condition of the child;

28 (3) the amenability of the child to treatment in an institution, facility, or  
29 program available to delinquent children;

30 (4) the nature of the alleged crime; and

31 (5) the public safety.

1 (e) In making a determination under this section, the court may order that a  
2 study be made concerning the child, the family of the child, the environment of the  
3 child, and other matters concerning the disposition of the case.

4 (f) The court shall make a transfer determination within 10 days after the  
5 date of a transfer hearing.

6 (g) If the court transfers its jurisdiction under this section, the court may  
7 order the child held for an adjudicatory hearing under the regular procedure of the  
8 juvenile court.

9 (h) (1) Pending a determination under this section to transfer its  
10 jurisdiction, the court may order a child to be held in a secure juvenile facility.

11 (2) A hearing on a motion requesting that a child be held in a juvenile  
12 facility pending a transfer determination shall be held not later than the next court  
13 day, unless extended by the court for good cause shown.

14 (i) (1) A victim or victim's representative shall be given notice of the  
15 transfer hearing as provided under § 11-104 of this article.

16 (2) (i) A victim or a victim's representative may submit a victim  
17 impact statement to the court as provided in § 11-402 of this article.

18 (ii) This paragraph does not preclude a victim or victim's  
19 representative who has not filed a notification request form under § 11-104 of this  
20 article from submitting a victim impact statement to the court.

21 (iii) The court shall consider a victim impact statement in  
22 determining whether to transfer jurisdiction under this section.

23 (j) At a bail review or preliminary hearing before the District Court involving  
24 a child whose case is eligible for transfer under subsection (b) of this section, the  
25 District Court may order that a study be made under the provisions of subsection (e)  
26 of this section, or that the child be held in a secure juvenile facility under the  
27 provisions of subsection (h) of this section, regardless of whether the District Court  
28 has criminal jurisdiction over the case.

29 4-202.2.

30 (a) At sentencing, a court exercising criminal jurisdiction in a case involving a  
31 child shall determine whether to transfer jurisdiction to the juvenile court if:

32 (1) as a result of trial or a plea entered under Maryland Rule 4-242, all  
33 charges that excluded jurisdiction from the juvenile court under § 3-8A-03(d)(1) or  
34 [(4)] (2) of the Courts Article do not result in a finding of guilty; and

35 (2) (i) pretrial transfer was prohibited under § 4-202(c)(3) of this  
36 subtitle; or



1 (ii) the court did not transfer jurisdiction after a hearing under §  
2 4-202(b) of this subtitle.

3 (b) In determining whether to transfer jurisdiction under subsection (a) of this  
4 section, the court shall consider:

5 (1) the age of the child;

6 (2) the mental and physical condition of the child;

7 (3) the amenability of the child to treatment in an institution, facility, or  
8 program available to delinquent children;

9 (4) the nature of the child's acts as proven in the trial or admitted to in a  
10 plea entered under Maryland Rule 4-242; and

11 (5) public safety.

12 (c) The court may not consider transferring jurisdiction to the juvenile court  
13 under this section if:

14 (1) under the terms of a plea agreement entered under Maryland Rule  
15 4-243, the child agrees that jurisdiction is not to be transferred; or

16 (2) pretrial transfer was prohibited under § 4-202(c)(1) or (2) of this  
17 subtitle.

18 (d) (1) A victim or victim's representative shall be given notice of the  
19 transfer hearing as provided under § 11-104 of this article.

20 (2) (i) A victim or victim's representative may submit a victim impact  
21 statement to the court as provided in § 11-402 of this article.

22 (ii) This paragraph does not preclude a victim or victim's  
23 representative who has not filed a notification request form under § 11-104 of this  
24 article from submitting a victim impact statement to the court.

25 (iii) The court shall consider a victim impact statement in  
26 determining whether to transfer jurisdiction under this section.

27 (e) (1) If the court transfers its jurisdiction to the juvenile court, the court  
28 shall conduct a disposition under the regular procedures of the juvenile court.

29 (2) The record of the hearing and of the disposition shall be transferred  
30 to the juvenile court, subject to § 3-8A-27 of the Courts Article.

31 10-215.

32 (a) The following events are reportable events under this subtitle that must be  
33 reported to the Central Repository in accordance with § 10-214 of this subtitle:

- 1 (1) the issuance or withdrawal of an arrest warrant;
- 2 (2) an arrest;
- 3 (3) the release of a person after arrest without the filing of a charge;
- 4 (4) the filing of a charging document;
- 5 (5) a release pending trial or an appeal;
- 6 (6) a commitment to an institution of pretrial detention;
- 7 (7) the dismissal of an indictment or criminal information;
- 8 (8) a nolle prosequi;
- 9 (9) the marking of a charge "stet" on the docket;
- 10 (10) an acquittal, conviction, verdict of not criminally responsible, or any  
11 other disposition of a case at or following trial, including a finding of probation before  
12 judgment;
- 13 (11) the imposition of a sentence;
- 14 (12) a commitment to a State correctional facility or local correctional  
15 facility;
- 16 (13) a commitment to the Department of Health and Mental Hygiene  
17 under § 3-105 or § 3-111 of this article as incompetent to stand trial or not criminally  
18 responsible;
- 19 (14) a release from detention or confinement;
- 20 (15) a conditional release, revocation of conditional release, or discharge  
21 of a person committed to the Department of Health and Mental Hygiene under §  
22 3-105 or § 3-111 of this article as incompetent to stand trial or not criminally  
23 responsible;
- 24 (16) an escape from confinement or commitment;
- 25 (17) a pardon, reprieve, commutation of a sentence, or other change in a  
26 sentence, including a change in a sentence that a court orders;
- 27 (18) an entry of an appeal to an appellate court;
- 28 (19) a judgment of an appellate court;
- 29 (20) an order of a court in a collateral proceeding that affects a person's  
30 conviction, sentence, or confinement;
- 31 (21) an adjudication of a child as delinquent:

1 (i) if the child is at least 14 years old, for an act described in §  
2 3-8A-03(d)(1) of the Courts Article; or

3 (ii) if the child is at least 16 years old[, for an act described in §  
4 3-8A-03(d)(4) or (5) of the Courts Article];

5 (22) the issuance or withdrawal of a writ of attachment by a juvenile  
6 court; and

7 (23) any other event arising out of or occurring during the course of a  
8 criminal proceeding that the Secretary by regulation or the Court of Appeals by rule  
9 makes a reportable event.

10 (b) To avoid duplication in the reporting of criminal history record  
11 information, the Secretary by regulation and the Court of Appeals by rule may  
12 determine those reportable events described under subsection (a) of this section to be  
13 reported by each criminal justice unit to the Central Repository.

14 10-216.

15 (a) In this section, "law enforcement unit" means:

16 (1) a State, county, or municipal police unit; or

17 (2) a sheriff's office.

18 (b) (1) If a defendant was not fingerprinted at the time of arrest for the  
19 sentenced crime, the sentencing judge shall order the defendant to be fingerprinted  
20 by the appropriate and available law enforcement unit when the defendant:

21 (i) is found guilty or pleads guilty or nolo contendere to a crime  
22 that is reportable as criminal history record information under this subtitle; and

23 (ii) is sentenced to commitment in a local correctional facility or  
24 receives a suspended sentence, probation, probation before judgment under § 6-220 of  
25 this article, or a fine.

26 (2) If the defendant cannot be fingerprinted at the time of sentencing,  
27 the sentencing judge shall order the defendant to report to a designated law  
28 enforcement unit to be fingerprinted within 3 days after the date of the sentencing.

29 (c) If a defendant fails to report to the designated law enforcement unit as  
30 ordered under subsection (b)(2) of this section, the defendant is in contempt of court.

31 (d) (1) This subsection only applies to an adjudication of delinquency of a  
32 child:

33 (i) for an act described in § 3-8A-03(d)(1) of the Courts Article if  
34 the child is at least 14 years old; or

1 (ii) for [an act described in § 3-8A-03(d)(4) or (5) of the Courts  
2 Article] ANY ACT if the child is at least 16 years old.

3 (2) If a child has not been previously fingerprinted as a result of arrest  
4 for the delinquent act, the court that held the disposition hearing of the child  
5 adjudicated delinquent shall order the child to be fingerprinted by the appropriate  
6 and available law enforcement unit.

7 (3) If the child cannot be fingerprinted at the time of the disposition  
8 hearing held under paragraph (2) of this subsection, the court shall order the child to  
9 report to a designated law enforcement unit to be fingerprinted within 3 days after  
10 making a disposition on an adjudication of delinquency.

11 **Article - Education**

12 7-303.

13 (a) (1) In this section the following words have the meanings indicated.

14 (2) "Criminal gang" has the meaning stated in § 9-801 of the Criminal  
15 Law Article.

16 (3) "Law enforcement agency" means the law enforcement agencies  
17 listed in § 3-101(e) of the Public Safety Article.

18 (4) "Local school system" means the schools and school programs under  
19 the supervision of the local superintendent.

20 (5) "Local superintendent" means the county superintendent, for the  
21 county in which a child is enrolled, or a designee of the superintendent, who is an  
22 administrator.

23 (6) "Reportable offense" means:

24 (i) A crime of violence, as defined in § 14-101 of the Criminal Law  
25 Article;

26 (ii) [Any of the offenses enumerated in § 3-8A-03(d)(4) of the  
27 Courts Article;

28 (iii)] A violation of § 4-101, § 4-102, § 4-203, or § 4-204 of the  
29 Criminal Law Article;

30 [(iv)] (III) A violation of §§ 5-602 through 5-609, §§ 5-612 through  
31 5-614, § 5-617, § 5-618, § 5-627, or § 5-628 of the Criminal Law Article;

32 [(v)] (IV) A violation of § 4-503, § 9-504, or § 9-505 of the Criminal  
33 Law Article;

- 1 [(vi)] (V) A violation of § 6-102, § 6-103, § 6-104, or § 6-105 of the  
2 Criminal Law Article; [or]
- 3 [(vii)] (VI) A violation of § 9-802 or § 9-803 of the Criminal Law  
4 Article; OR
- 5 (VII) ANY OF THE FOLLOWING OFFENSES:
- 6 1. ABDUCTION;
- 7 2. KIDNAPPING;
- 8 3. SECOND DEGREE MURDER;
- 9 4. MANSLAUGHTER, EXCEPT INVOLUNTARY  
10 MANSLAUGHTER;
- 11 5. SECOND DEGREE RAPE;
- 12 6. ROBBERY UNDER § 3-403 OF THE CRIMINAL LAW ARTICLE;
- 13 7. SECOND DEGREE SEXUAL OFFENSE UNDER § 3-306(A)(1)  
14 OF THE CRIMINAL LAW ARTICLE;
- 15 8. THIRD DEGREE SEXUAL OFFENSE UNDER § 3-307(A)(1) OF  
16 THE CRIMINAL LAW ARTICLE;
- 17 9. A CRIME IN VIOLATION OF § 5-133, § 5-134, § 5-138, OR §  
18 5-203 OF THE PUBLIC SAFETY ARTICLE;
- 19 10. USING, WEARING, CARRYING, OR TRANSPORTING A  
20 FIREARM DURING AND IN RELATION TO A DRUG TRAFFICKING CRIME UNDER § 5-621  
21 OF THE CRIMINAL LAW ARTICLE;
- 22 11. USE OF A FIREARM UNDER § 5-622 OF THE CRIMINAL LAW  
23 ARTICLE;
- 24 12. CARJACKING OR ARMED CARJACKING UNDER § 3-405 OF  
25 THE CRIMINAL LAW ARTICLE;
- 26 13. ASSAULT IN THE FIRST DEGREE UNDER § 3-202 OF THE  
27 CRIMINAL LAW ARTICLE;
- 28 14. ATTEMPTED MURDER IN THE SECOND DEGREE UNDER §  
29 2-206 OF THE CRIMINAL LAW ARTICLE;
- 30 15. ATTEMPTED RAPE IN THE SECOND DEGREE UNDER § 3-310  
31 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTED SEXUAL OFFENSE IN THE SECOND  
32 DEGREE UNDER § 3-312 OF THE CRIMINAL LAW ARTICLE;



1 (g) Nothing in this section is intended to limit the manner in which a local  
2 school obtains information or uses information obtained by any lawful means other  
3 than that set forth in subsections (b), (c), and (e) of this section.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2006.