
By: **Delegate Quinter**
Introduced and read first time: February 10, 2006
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Crimes Against the Elderly - Prohibition**

3 FOR the purpose of prohibiting a person from committing certain offenses against a
4 person who is at least a certain age; establishing a certain penalty; providing
5 that a conviction under this Act does not merge with a conviction for a certain
6 underlying offense; providing that a sentence imposed for a violation of this Act
7 is to be consecutive to and not concurrent with any other sentence imposed for
8 certain crimes; and generally relating to crimes against the elderly.

9 BY adding to
10 Article - Criminal Law
11 Section 10-801 to be under the new subtitle "Subtitle 8. Crimes Against the
12 Elderly"
13 Annotated Code of Maryland
14 (2002 Volume and 2005 Supplement)

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

17 **Article - Criminal Law**

18 **SUBTITLE 8. CRIMES AGAINST THE ELDERLY.**

19 10-801.

20 (A) A PERSON MAY NOT COMMIT A VIOLATION OF ANY OF THE FOLLOWING
21 OFFENSES AGAINST A PERSON AT LEAST 65 YEARS OLD:

- 22 (1) MANSLAUGHTER;
- 23 (2) RAPE IN THE SECOND DEGREE;
- 24 (3) ATTEMPTED RAPE IN THE SECOND DEGREE;
- 25 (4) SEXUAL OFFENSE IN THE SECOND DEGREE;

- 1 (5) ATTEMPTED SEXUAL OFFENSE IN THE SECOND DEGREE;
- 2 (6) ASSAULT IN THE FIRST DEGREE;
- 3 (7) ASSAULT IN THE SECOND DEGREE;
- 4 (8) SEXUAL OFFENSE IN THE THIRD DEGREE;
- 5 (9) SEXUAL OFFENSE IN THE FOURTH DEGREE;
- 6 (10) SODOMY;
- 7 (11) ROBBERY UNDER § 3-402 OR § 3-403 OF THIS ARTICLE;
- 8 (12) CARJACKING;
- 9 (13) EXTORTION UNDER § 3-701, § 3-702, § 3-703, § 3-704, § 3-705, § 3-706, OR
- 10 § 3-707 OF THIS ARTICLE;
- 11 (14) THEFT UNDER § 7-104 OF THIS ARTICLE;
- 12 (15) A CREDIT CARD OFFENSE UNDER § 8-203, § 8-204, § 8-206, OR § 8-209
- 13 OF THIS ARTICLE; AND
- 14 (16) IDENTITY FRAUD.

15 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
 16 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A
 17 FINE NOT EXCEEDING \$5,000 OR BOTH.

18 (C) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A CONVICTION
 19 UNDER THIS SECTION DOES NOT MERGE WITH A CONVICTION FOR THE UNDERLYING
 20 OFFENSE ON WHICH THE VIOLATION OF THIS SECTION IS BASED.

21 (2) A SENTENCE IMPOSED UNDER THIS SECTION SHALL BE
 22 CONSECUTIVE TO AND NOT CONCURRENT WITH ANY OTHER SENTENCE IMPOSED
 23 FOR ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS
 24 SECTION.

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