
By: **Senator Garagiola**

Introduced and read first time: February 3, 2006

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 2006

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law - Crimes Against a Law Enforcement Officer - Definition of**
 3 **Law Enforcement Officer**

4 FOR the purpose of altering the definition of a law enforcement officer for certain
 5 crimes against certain law enforcement officers; and generally relating to law
 6 enforcement officers.

7 BY repealing and reenacting, with amendments,

8 Article - Criminal Law

9 Section 3-201

10 Annotated Code of Maryland

11 (2002 Volume and 2005 Supplement)

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

14 **Article - Criminal Law**

15 3-201.

16 (a) In this subtitle the following words have the meanings indicated.

17 (b) "Assault" means the crimes of assault, battery, and assault and battery,
 18 which retain their judicially determined meanings.

19 (c) "Law enforcement officer" [has the meaning stated in § 3-101(e)(1) of the
 20 Public Safety Article without application of § 3-101(e)(2)] MEANS AN INDIVIDUAL
 21 WHO:

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1 (1) IN AN OFFICIAL CAPACITY IS AUTHORIZED BY LAW TO MAKE
2 ARRESTS; AND

3 (2) IS A MEMBER OF:

4 (I) THE DEPARTMENT OF STATE POLICE;

5 (II) THE POLICE DEPARTMENT OF BALTIMORE CITY;

6 (III) THE BALTIMORE CITY SCHOOL POLICE FORCE;

7 (IV) THE BALTIMORE CITY WATERSHED POLICE FORCE;

8 (V) THE POLICE DEPARTMENT, BUREAU, OR FORCE OF A COUNTY;

9 (VI) THE POLICE DEPARTMENT, BUREAU, OR FORCE OF A
10 MUNICIPAL CORPORATION;

11 (VII) THE OFFICE OF THE SHERIFF OF A COUNTY;

12 (VIII) THE POLICE DEPARTMENT, BUREAU, OR FORCE OF A
13 BICOUNTY AGENCY;

14 (IX) THE MARYLAND TRANSPORTATION AUTHORITY POLICE;

15 (X) THE POLICE FORCES OF THE DEPARTMENT OF
16 TRANSPORTATION;

17 (XI) THE POLICE FORCES OF THE DEPARTMENT OF NATURAL
18 RESOURCES;

19 (XII) THE FIELD ENFORCEMENT BUREAU OF THE COMPTROLLER'S
20 OFFICE;

21 (XIII) THE HOUSING AUTHORITY OF BALTIMORE CITY POLICE
22 FORCE;

23 (XIV) THE CROFTON POLICE DEPARTMENT;

24 (XV) THE POLICE FORCE OF THE DEPARTMENT OF HEALTH AND
25 MENTAL HYGIENE;

26 (XVI) THE POLICE FORCE OF THE DEPARTMENT OF GENERAL
27 SERVICES;

28 (XVII) THE POLICE FORCE OF THE DEPARTMENT OF LABOR,
29 LICENSING, AND REGULATION;

30 (XVIII) THE POLICE FORCES OF THE UNIVERSITY SYSTEM OF
31 MARYLAND;

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- 1 (XIX) THE POLICE FORCE OF MORGAN STATE UNIVERSITY;
- 2 (XX) THE OFFICE OF STATE FIRE MARSHAL;
- 3 (XXI) THE OCEAN PINES POLICE DEPARTMENT;
- 4 (XXII) THE MARYLAND TRANSIT ADMINISTRATION POLICE FORCE;
- 5 OR

6 (XXIII) ~~THE WASHINGTON METROPOLITAN AREA TRANSIT~~
7 ~~AUTHORITY (WMATA) THE WMATA METRO TRANSIT POLICE, SUBJECT TO THE~~
8 ~~JURISDICTIONAL LIMITATIONS UNDER ARTICLE XVI, § 76 OF THE WASHINGTON~~
9 ~~METROPOLITAN AREA TRANSIT AUTHORITY COMPACT, WHICH IS CODIFIED IN §~~
10 ~~10-204 OF THE TRANSPORTATION ARTICLE.~~

11 (d) "Serious physical injury" means physical injury that:

- 12 (1) creates a substantial risk of death; or
- 13 (2) causes permanent or protracted serious:
 - 14 (i) disfigurement;
 - 15 (ii) loss of the function of any bodily member or organ; or
 - 16 (iii) impairment of the function of any bodily member or organ.

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