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By: **Senators Garagiola, Forehand, and Raskin** Introduced and read first time: January 25, 2008 Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

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

FOR the purpose of altering the definition of a law enforcement officer for certain crimes against law enforcement officers; and generally relating to the crimes against law 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 2007 Supplement)

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

- 14Article 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) [(1)] "Law enforcement officer" [has the meaning stated in § 3–101(e)(1)
 20 of the Public Safety Article without application of § 3–101(e)(2).
- 21 (2) "Law enforcement officer" includes] MEANS:
- 22 (1) AN INDIVIDUAL WHO:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.



$\frac{1}{2}$	(I) MAKE ARRESTS; AND	IN AI	N OFFICIAL CAPACITY IS AUTHORIZED BY LAW TO
3	(II)	IS A N	MEMBER OF:
4		1.	THE DEPARTMENT OF STATE POLICE;
5		2.	THE POLICE DEPARTMENT OF BALTIMORE CITY;
6		3.	THE BALTIMORE CITY SCHOOL POLICE FORCE;
7 8	Force;	4.	THE BALTIMORE CITY WATERSHED POLICE
9 10	OF A COUNTY;	5.	THE POLICE DEPARTMENT, BUREAU, OR FORCE
$\frac{11}{12}$	OF A MUNICIPAL CORP	6. ORATI	THE POLICE DEPARTMENT, BUREAU, OR FORCE ON;
13		7.	THE OFFICE OF THE SHERIFF OF A COUNTY;
14 15	OF A BICOUNTY AGENC	8. Y;	THE POLICE DEPARTMENT, BUREAU, OR FORCE
16 17	POLICE;	9.	THE MARYLAND TRANSPORTATION AUTHORITY
18 19	TRANSPORTATION;	10.	THE POLICE FORCES OF THE DEPARTMENT OF
$\begin{array}{c} 20\\ 21 \end{array}$	NATURAL RESOURCES	11. ;	THE POLICE FORCES OF THE DEPARTMENT OF
22 23	Comptroller's Offi	12. ICE;	THE FIELD ENFORCEMENT BUREAU OF THE
$\begin{array}{c} 24 \\ 25 \end{array}$	Police Force;	13.	THE HOUSING AUTHORITY OF BALTIMORE CITY
26		14.	THE CROFTON POLICE DEPARTMENT;

1 15. THE POLICE FORCE OF THE DEPARTMENT OF $\mathbf{2}$ **HEALTH AND MENTAL HYGIENE:** 3 **16.** THE POLICE FORCE OF THE DEPARTMENT OF 4 **GENERAL SERVICES;** $\mathbf{5}$ 17. THE POLICE FORCE OF THE DEPARTMENT OF 6 LABOR, LICENSING, AND REGULATION; $\mathbf{7}$ 18. THE POLICE FORCES OF THE UNIVERSITY SYSTEM 8 **OF MARYLAND;** 9 19. MORGAN STATE THE POLICE FORCE OF 10 **UNIVERSITY;** 11 20. THE OFFICE OF STATE FIRE MARSHAL; 12 **21**. THE OCEAN PINES POLICE DEPARTMENT; 13 22. THE POLICE FORCE OF THE BALTIMORE CITY 14 **COMMUNITY COLLEGE:** 1523. MARYLAND TRANSIT THE **ADMINISTRATION** 16 **POLICE FORCE; AND** 17 **24**. THE WMATA METRO TRANSIT POLICE, SUBJECT 18 TO THE JURISDICTIONAL LIMITATIONS UNDER ARTICLE XVI. § 76 OF THE 19 WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY COMPACT, WHICH IS 20CODIFIED IN § 10-204 OF THE TRANSPORTATION ARTICLE; AND 21**(2)** a correctional officer at a correctional facility. "Serious physical injury" means physical injury that: 22(d) 23(1)creates a substantial risk of death; or 24(2)causes permanent or protracted serious: 25(i) disfigurement; loss of the function of any bodily member or organ; or 26(ii) 27(iii) impairment of the function of any bodily member or organ.

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- $rac{1}{2}$ SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- October 1, 2008.