

# SENATE BILL 640

E1, E2

8lr1672

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By: **Senators Jacobs, Klausmeier, Mooney, Munson, and Stone**

Introduced and read first time: February 1, 2008

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Criminal Gangs - Underlying Crime**

3 FOR the purpose of altering the definition of “underlying crime” as used in certain  
4 provisions of law concerning criminal gang offenses to include misdemeanor  
5 assault, malicious destruction, human trafficking, receiving earnings of a  
6 prostitute, and betting, wagering, and gambling; and generally relating to  
7 criminal gangs.

8 BY repealing and reenacting, without amendments,  
9 Article – Criminal Law  
10 Section 9–801(a)  
11 Annotated Code of Maryland  
12 (2002 Volume and 2007 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Criminal Law  
15 Section 9–801(f)  
16 Annotated Code of Maryland  
17 (2002 Volume and 2007 Supplement)

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

20 **Article – Criminal Law**

21 9–801.

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

23 (f) “Underlying crime” means:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**SENATE BILL 640**

- 1           (1)     a crime of violence as defined under § 14–101 of this article;
- 2           (2)     a felony violation of [§ 3–203,] § 3–701, § 4–503, § 5–602, § 6–103,  
3 § 6–109, § 6–202, § 6–203, § 6–204, § 7–104, § 7–105, § 9–302, § 9–303, or § 9–305 of  
4 this article; [or]
- 5           (3)     a felony violation of § 5–133 of the Public Safety Article; **OR**
- 6           (4)     **ANY VIOLATION OF § 3–203, § 6–301, § 11–303, § 11–304, OR §**  
7 **12–102 OF THIS ARTICLE.**

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2008.