

CHAPTER 166

(Senate Bill 294)

AN ACT concerning

Criminal Law – Crimes Against a Law Enforcement Officer – Definition of 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.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–201
Annotated Code of Maryland
(2002 Volume and 2007 Supplement)

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

Article – Criminal Law

3–201.

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

(b) “Assault” means the crimes of assault, battery, and assault and battery, which retain their judicially determined meanings.

(c) ~~[(1)]~~ “Law enforcement officer” ~~has~~ has the meaning stated in § 3–101(e)(1) of the Public Safety Article without application of § 3–101(e)(2).

(2) “Law enforcement officer” includes ~~MEANS:~~

~~(I) AN INDIVIDUAL WHO:~~

~~(I) IN AN OFFICIAL CAPACITY IS AUTHORIZED BY LAW TO MAKE ARRESTS; AND~~

~~(II) IS A MEMBER OF:~~

~~1. THE DEPARTMENT OF STATE POLICE;~~

- ~~2. THE POLICE DEPARTMENT OF BALTIMORE CITY;~~
- ~~3. THE BALTIMORE CITY SCHOOL POLICE FORCE;~~
- ~~4. THE BALTIMORE CITY WATERSHED POLICE FORCE;~~
- ~~5. THE POLICE DEPARTMENT, BUREAU, OR FORCE OF A COUNTY;~~
- ~~6. THE POLICE DEPARTMENT, BUREAU, OR FORCE OF A MUNICIPAL CORPORATION;~~
- ~~7. THE OFFICE OF THE SHERIFF OF A COUNTY;~~
- ~~8. THE POLICE DEPARTMENT, BUREAU, OR FORCE OF A BICOUNTY AGENCY;~~
- ~~9. THE MARYLAND TRANSPORTATION AUTHORITY POLICE;~~
- ~~10. THE POLICE FORCES OF THE DEPARTMENT OF TRANSPORTATION;~~
- ~~11. THE POLICE FORCES OF THE DEPARTMENT OF NATURAL RESOURCES;~~
- ~~12. THE FIELD ENFORCEMENT BUREAU OF THE COMPTROLLER'S OFFICE;~~
- ~~13. THE HOUSING AUTHORITY OF BALTIMORE CITY POLICE FORCE;~~
- ~~14. THE CROFTON POLICE DEPARTMENT;~~
- ~~15. THE POLICE FORCE OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE;~~
- ~~16. THE POLICE FORCE OF THE DEPARTMENT OF GENERAL SERVICES;~~
- ~~17. THE POLICE FORCE OF THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION;~~

- ~~18. THE POLICE FORCES OF THE UNIVERSITY SYSTEM OF MARYLAND;~~
- ~~19. THE POLICE FORCE OF MORGAN STATE UNIVERSITY;~~
- ~~20. THE OFFICE OF STATE FIRE MARSHAL;~~
- ~~21. THE OCEAN PINES POLICE DEPARTMENT;~~
- ~~22. THE POLICE FORCE OF THE BALTIMORE CITY COMMUNITY COLLEGE;~~
- ~~23. THE MARYLAND TRANSIT ADMINISTRATION POLICE FORCE; AND~~
- ~~24. THE MATA METRO TRANSIT POLICE, SUBJECT TO THE JURISDICTIONAL LIMITATIONS UNDER ARTICLE XVI, § 76 OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY COMPACT, WHICH IS CODIFIED IN § 10-204 OF THE TRANSPORTATION ARTICLE; AND~~

~~(2)~~ (I) a correctional officer at a correctional facility; ~~AND~~

(II) AN OFFICER EMPLOYED BY THE WMATA METRO TRANSIT POLICE, SUBJECT TO THE JURISDICTIONAL LIMITATIONS UNDER ARTICLE XVI, § 76 OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY COMPACT, WHICH IS CODIFIED IN § 10-204 OF THE TRANSPORTATION ARTICLE.

(d) “Serious physical injury” means physical injury that:

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

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

Approved by the Governor, April 24, 2008.