

HOUSE BILL 1075

E1

9lr2668

By: **Delegate Conaway**

Introduced and read first time: February 13, 2009

Assigned to: Judiciary

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; and generally relating to criminal gangs.

6 BY repealing and reenacting, without amendments,
7 Article – Criminal Law
8 Section 9–801(a)
9 Annotated Code of Maryland
10 (2002 Volume and 2008 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Criminal Law
13 Section 9–801(f)
14 Annotated Code of Maryland
15 (2002 Volume and 2008 Supplement)

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

18 **Article – Criminal Law**

19 9–801.

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

21 (f) “Underlying crime” means:

22 (1) a crime of violence as defined under § 14–101 of this article;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) a felony violation of [§ 3-203,] § 3-701, § 4-503, § 5-602, § 6-103,
2 § 6-109, § 6-202, § 6-203, § 6-204, § 7-104, § 7-105, § 9-302, § 9-303, or § 9-305 of
3 this article; [or]

4 (3) a felony violation of § 5-133 of the Public Safety Article; **OR**

5 (4) **A VIOLATION OF § 3-203 OF THIS ARTICLE.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2009.