

**Department of Legislative Services**  
Maryland General Assembly  
2012 Session

**FISCAL AND POLICY NOTE**

Senate Bill 815  
Judicial Proceedings

(Senator Astle)

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**Criminal Law - Robbery - Oral Claim of Possession of a Dangerous Weapon**

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This bill prohibits a person from committing or attempting to commit a robbery by making an oral claim that the person has possession of a dangerous weapon. Violators are guilty of a felony and are subject to imprisonment for up to 20 years.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund expenditures due to the bill's incarceration penalty. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** A person is prohibited from committing or attempting to commit a robbery. Violators are guilty of a felony and are subject to imprisonment for up to 15 years.

A person who commits or attempts to commit a robbery with a dangerous weapon or by displaying a written instrument claiming that the person has possession of a dangerous weapon is guilty of a felony and is subject to imprisonment for up to 20 years.

Under § 4-101 of the Criminal Law Article (prohibition on wearing or carrying a dangerous weapon), a “weapon” includes a razor, a nunchaku, a dirk knife, bowie knife,

switchblade knife, star knife, sandclub, and metal knuckles. “Weapon” does not include a handgun or penknife without a switchblade.

**Background:** During fiscal 2011, the Division of Correction conducted intake on 363 individuals for unarmed robbery (with an average sentence of 63 months) and 484 individuals for robbery with a deadly weapon (with an average sentence of 113 months).

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 1057 (Delegate George, *et al.*) - Judiciary.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of State Police, Department of Public Safety and Correctional Services, Department of Legislative Services

**Fiscal Note History:** First Reader - February 17, 2012  
ncs/kdm

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