

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 1057
Judiciary

(Delegate George, *et al.*)

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

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.

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.

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).

Additional Information

Prior Introductions: None.

Cross File: SB 815 (Senator Astle) - Judicial Proceedings.

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

Analysis by: Amy A. Devadas

Direct Inquiries to:
(410) 946-5510
(301) 970-5510