

HOUSE BILL 338

E1

3lr0977

By: **Delegates Clippinger, Anderson, and Summers**

Introduced and read first time: January 25, 2013

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 19, 2013

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Robbery – Charging Document**

3 FOR the purpose of altering the minimum value of property or service specified in a
4 charging document for robbery; and generally relating to robbery of property or
5 service.

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 3–404
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2012 Supplement)

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

13 **Article – Criminal Law**

14 3–404.

15 (a) An indictment, information, warrant, or other charging document for
16 robbery is sufficient if it substantially states:

17 “(name of defendant) on (date) in (county) did feloniously rob (name of victim) of
18 (property/service) (having a value of ~~[\$500]~~ **\$1,000** or more) (with a dangerous

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 weapon) in violation of (section violated) against the peace, government, and dignity of
2 the State.”.

3 (b) If a charging document alleges that the value of the property or service
4 subject to this subtitle is ~~[\$500]~~ **\$1,000** or more, the court shall instruct the jury to
5 determine whether the value of the property or service is less than ~~[\$500]~~ **\$1,000**, or
6 ~~[\$500]~~ **\$1,000** or more.

7 (c) Unless a charging document alleges that the value of the property or
8 service subject to this subtitle is ~~[\$500]~~ **\$1,000** or more, a felony violation of § 7–104
9 of this article is not a lesser included crime of robbery.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.