

HOUSE BILL 133

E1

5lr0953
CF 5lr1836

By: **Delegate Anderson (By Request – Baltimore City Administration)**

Introduced and read first time: January 26, 2015

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Warrantless Arrests – Assault on Baltimore City Special**
3 **Enforcement Officer**

4 FOR the purpose of expanding the authority of a police officer without a warrant to arrest
5 a person suspected of committing a certain assault against a certain Baltimore City
6 special parking enforcement officer or special traffic enforcement officer engaged in
7 the performance of the officer's official duties; and generally relating to warrantless
8 arrests.

9 BY repealing and reenacting, without amendments,
10 Article – Criminal Law
11 Section 3–203(a)
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2014 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Criminal Procedure
16 Section 2–203(a)
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2014 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Criminal Procedure
21 Section 2–203(b)(10) and (11)
22 Annotated Code of Maryland
23 (2008 Replacement Volume and 2014 Supplement)

24 BY adding to
25 Article – Criminal Procedure
26 Section 2–203(b)(12)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2008 Replacement Volume and 2014 Supplement)

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

Article – Criminal Law

3–203.

(a) A person may not commit an assault.

Article – Criminal Procedure

2–203.

(a) A police officer without a warrant may arrest a person if the police officer has probable cause to believe:

(1) that the person has committed a crime listed in subsection (b) of this section; and

(2) that unless the person is arrested immediately, the person:

(i) may not be apprehended;

(ii) may cause physical injury or property damage to another; or

(iii) may tamper with, dispose of, or destroy evidence.

(b) The crimes referred to in subsection (a)(1) of this section are:

(10) prostitution and related crimes under Title 11, Subtitle 3 of the Criminal Law Article; [and]

(11) violation of a condition of pretrial or posttrial release under § 5–213.1 of this article; AND

(12) ASSAULT IN THE SECOND DEGREE UNDER § 3–203 OF THE CRIMINAL LAW ARTICLE AGAINST:

(I) A SPECIAL PARKING ENFORCEMENT OFFICER AUTHORIZED BY BALTIMORE CITY UNDER § 16–16B OF THE CODE OF PUBLIC LOCAL LAWS OF BALTIMORE CITY ENGAGED IN THE PERFORMANCE OF THE OFFICER’S OFFICIAL DUTIES; OR

1 **(II) A SPECIAL TRAFFIC ENFORCEMENT OFFICER AUTHORIZED**
2 **BY BALTIMORE CITY UNDER § 16-16C OF THE CODE OF PUBLIC LOCAL LAWS OF**
3 **BALTIMORE CITY ENGAGED IN THE PERFORMANCE OF THE OFFICER'S OFFICIAL**
4 **DUTIES.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2015.