

HOUSE BILL 906

E1

7lr2728

By: **Delegates Malone, Aumann, Folden, Gutierrez, S. Howard, Jacobs, Krebs, McComas, W. Miller, Parrott, Saab, and B. Wilson**

Introduced and read first time: February 6, 2017

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 7, 2017

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Crime of Violence – Home Invasion**

3 FOR the purpose of classifying the offense of home invasion as a crime of violence under a
4 certain provision of law; and generally relating to crimes of violence.

5 BY repealing and reenacting, with amendments,
6 Article – Criminal Law
7 Section 14–101(a)
8 Annotated Code of Maryland
9 (2012 Replacement Volume and 2016 Supplement)

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

12 **Article – Criminal Law**

13 14–101.

14 (a) In this section, “crime of violence” means:

15 (1) abduction;

16 (2) arson in the first degree;

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 (3) kidnapping;
- 2 (4) manslaughter, except involuntary manslaughter;
- 3 (5) mayhem;
- 4 (6) maiming, as previously proscribed under former Article 27, §§ 385 and
5 386 of the Code;
- 6 (7) murder;
- 7 (8) rape;
- 8 (9) robbery under § 3–402 or § 3–403 of this article;
- 9 (10) carjacking;
- 10 (11) armed carjacking;
- 11 (12) sexual offense in the first degree;
- 12 (13) sexual offense in the second degree;
- 13 (14) use of a handgun in the commission of a felony or other crime of
14 violence;
- 15 (15) child abuse in the first degree under § 3–601 of this article;
- 16 (16) sexual abuse of a minor under § 3–602 of this article if:
 - 17 (i) the victim is under the age of 13 years and the offender is an
18 adult at the time of the offense; and
 - 19 (ii) the offense involved:
 - 20 1. vaginal intercourse, as defined in § 3–301 of this article;
 - 21 2. a sexual act, as defined in § 3–301 of this article;
 - 22 3. an act in which a part of the offender’s body penetrates,
23 however slightly, into the victim’s genital opening or anus; or
 - 24 4. the intentional touching, not through the clothing, of the
25 victim’s or the offender’s genital, anal, or other intimate area for sexual arousal,
26 gratification, or abuse;
- 27 **(17) HOME INVASION UNDER § 6–202(B) OF THIS ARTICLE;**

- 1 **[(17)] (18)** an attempt to commit any of the crimes described in items (1)
- 2 through **[(16)] (17)** of this subsection;

- 3 **[(18)] (19)** continuing course of conduct with a child under § 3–315 of this
- 4 article;

- 5 **[(19)] (20)** assault in the first degree;

- 6 **[(20)] (21)** assault with intent to murder;

- 7 **[(21)] (22)** assault with intent to rape;

- 8 **[(22)] (23)** assault with intent to rob;

- 9 **[(23)] (24)** assault with intent to commit a sexual offense in the first degree;
- 10 and

- 11 **[(24)] (25)** assault with intent to commit a sexual offense in the second
- 12 degree.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

14 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.