

HOUSE BILL 28

E1

8lr1250

(PRE-FILED)

By: **Delegate Angel**

Requested: November 15, 2017

Introduced and read first time: January 10, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Assault – Public Transportation Operator and Penalties**

3 FOR the purpose of increasing the penalties for voluntarily causing physical injury to
4 certain individuals providing public transportation services; increasing the
5 maximum term of imprisonment that may be imposed for conviction of assault on
6 certain individuals; and generally relating to penalties for assault.

7 BY repealing and reenacting, with amendments,

8 Article – Criminal Law

9 Section 3–203

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2017 Supplement)

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

14 **Article – Criminal Law**

15 3–203.

16 (a) A person may not commit an assault.

17 (b) Except as provided in subsection (c) of this section, a person who violates
18 subsection (a) of this section is guilty of the misdemeanor of assault in the second degree
19 and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding
20 \$2,500 or both.

21 (c) (1) In this subsection, “physical injury” means any impairment of physical
22 condition, excluding minor injuries.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) A person may not intentionally cause physical injury to another if the
2 person knows or has reason to know that the other is:

3 (i) a law enforcement officer engaged in the performance of the
4 officer's official duties;

5 (ii) a parole or probation agent engaged in the performance of the
6 agent's official duties; **[or]**

7 (iii) a firefighter, an emergency medical technician, a rescue squad
8 member, or any other first responder engaged in providing emergency medical care or
9 rescue services; **OR**

10 **(IV) A BUS OPERATOR, A TRAIN OPERATOR, A LIGHT RAIL**
11 **OPERATOR, OR ANY OTHER INDIVIDUAL ENGAGED IN PROVIDING PUBLIC**
12 **TRANSPORTATION SERVICES.**

13 (3) A person who violates paragraph (2) of this subsection is guilty of the
14 felony of assault in the second degree and on conviction is subject to imprisonment not
15 exceeding **[10] 15** years or a fine not exceeding \$5,000 or both.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2018.