

# HOUSE BILL 1305

E1  
HB 1258/17 – JUD

8lr3045

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By: **Delegates Wilson and Malone**

Introduced and read first time: February 9, 2018

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Assault in the Second Degree – Educators**

3 FOR the purpose of prohibiting a person from intentionally causing physical injury to  
4 another if the person knows or has reason to know that the other is a certain  
5 educator; applying certain penalties; and generally relating to assaults on educators.

6 BY repealing and reenacting, with amendments,  
7 Article – Criminal Law  
8 Section 3–203  
9 Annotated Code of Maryland  
10 (2012 Replacement Volume and 2017 Supplement)

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

13 **Article – Criminal Law**

14 3–203.

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

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

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

8 **(IV) AN EDUCATOR, AS DEFINED IN § 2-608 OF THE COURTS**  
9 **ARTICLE.**

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

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