

# SENATE BILL 35

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0lr0503

(PRE-FILED)

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By: **Senator Hough**

Requested: August 12, 2019

Introduced and read first time: January 8, 2020

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Crime of Violence – Definition**

3 FOR the purpose of altering the definition of “crime of violence”; and generally relating to  
4 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 2019 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;

17 (3) kidnapping;

18 (4) manslaughter, except involuntary manslaughter;

19 (5) mayhem;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1           (6)    maiming, as previously proscribed under former Article 27, §§ 385 and  
2 386 of the Code;
- 3           (7)    murder;
- 4           (8)    rape;
- 5           (9)    robbery under § 3–402 or § 3–403 of this article;
- 6           (10)  carjacking;
- 7           (11)  armed carjacking;
- 8           (12)  sexual offense in the first degree;
- 9           (13)  sexual offense in the second degree;
- 10          (14)  use of a firearm in the commission of a felony [except possession with  
11 intent to distribute a controlled dangerous substance under § 5–602(2) of this article,] or  
12 other crime of violence;
- 13          (15)  child abuse in the first degree under § 3–601 of this article;
- 14          (16)  sexual abuse of a minor under § 3–602 of this article if:
- 15               (i)    the victim is under the age of 13 years and the offender is an  
16 adult at the time of the offense; and
- 17               (ii)  the offense involved:
- 18                   1.    vaginal intercourse, as defined in § 3–301 of this article;
- 19                   2.    a sexual act, as defined in § 3–301 of this article;
- 20                   3.    an act in which a part of the offender’s body penetrates,  
21 however slightly, into the victim’s genital opening or anus; or
- 22                   4.    the intentional touching of the victim’s or the offender’s  
23 genital, anal, or other intimate area for sexual arousal, gratification, or abuse;
- 24          (17)  home invasion under § 6–202(b) of this article;
- 25          (18)  a felony offense under Title 3, Subtitle 11 of this article;
- 26          (19)  an attempt to commit any of the crimes described in items (1) through  
27 (18) of this subsection;

- 1           (20) continuing course of conduct with a child under § 3–315 of this article;
- 2           (21) assault in the first degree;
- 3           (22) assault with intent to murder;
- 4           (23) assault with intent to rape;
- 5           (24) assault with intent to rob;
- 6           (25) assault with intent to commit a sexual offense in the first degree; and
- 7           (26) assault with intent to commit a sexual offense in the second degree.

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9   October 1, 2020.