

SENATE BILL 212

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CF HB 233

By: **Senators Lee, Cassilly, Beidle, Elfreth, Guzzone, Kagan, King, Klausmeier, Kramer, Lam, Ready, Serafini, Smith, Sydnor, Waldstreicher, West, Young, and Zucker**

Introduced and read first time: January 16, 2020
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 7, 2020

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Assault in the First Degree – ~~Suffocation or~~ Strangulation**

3 FOR the purpose of prohibiting a person from committing an assault by intentionally
4 ~~suffocating or~~ strangling another; providing a penalty for a violation of this Act;
5 defining a certain term; and generally relating to criminal assault.

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 3–202
9 Annotated Code of Maryland
10 (2012 Replacement Volume and 2019 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 3–202.

15 (a) **IN THIS SECTION, “STRANGLING” MEANS IMPEDING THE NORMAL**
16 **BREATHING OR BLOOD CIRCULATION OF ANOTHER PERSON BY APPLYING PRESSURE**
17 **TO THE OTHER PERSON’S THROAT OR NECK.**

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 **(B)** (1) A person may not intentionally cause or attempt to cause serious
2 physical injury to another.

3 (2) A person may not commit an assault with a firearm, including:

4 (i) a handgun, antique firearm, rifle, shotgun, short-barreled
5 shotgun, or short-barreled rifle, as those terms are defined in § 4-201 of this article;

6 (ii) an assault pistol, as defined in § 4-301 of this article;

7 (iii) a machine gun, as defined in § 4-401 of this article; and

8 (iv) a regulated firearm, as defined in § 5-101 of the Public Safety
9 Article.

10 **(3) A PERSON MAY NOT COMMIT AN ASSAULT BY INTENTIONALLY**
11 ~~**SUFFOCATING OR STRANGLING ANOTHER.**~~

12 ~~**(B)**~~ **(C)** A person who violates this section is guilty of the felony of assault in
13 the first degree and on conviction is subject to imprisonment not exceeding 25 years.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.