



THE SENATE OF MARYLAND
Annapolis, Maryland 21401
BALTIMORE CITY SENATE DELEGATION

March 24, 2023

From: Senator Jill P. Carter, Chair, Baltimore City Senate Delegation

To: Senator William C. Smith, Jr., Chair, Judicial Proceedings Committee

Re: Delegation Vote on SB764 - Baltimore City – Assault of Special Enforcement Officers – Penalties (*with amendments and sunset provision*)

Chair Smith,

On Friday, March 24, 2023, the Baltimore City Senate Delegation voted Senate Bill 764 - Baltimore City – Assault of Special Enforcement Officers – Penalties (*with amendments and sunset provision*) **favorable**. *Please see* the attached voting roster, amendments and sunset provision.

Pursuant to Senate custom, we ask the Judicial Proceedings Committee to bring SB764 to a vote.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in blue ink that reads "Jill P. Carter".

Senator Jill P. Carter

JILL P. CARTER, CHAIR

CORY V. MCCRAY
BILL FERGUSON
ANTONIO HAYES
CHARLES E. SYDNOR III, ESQ.
MARY L. WASHINGTON, PH.D.



THE SENATE OF MARYLAND
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Voting Record – 2023 Regular Session

Date: March 24, 2023

Bill/Resolution Number: [SB 764](#)

Title: Baltimore City – Assault of Special Enforcement Officers – Penalties

Sponsor: Senator Jill Carter – Baltimore City Administration

Motion: Favorable with Amendment

Senator	YES	NO	ABSTAIN	ABSENT
Carter, Jill P. – Chair	✓			
Ferguson, Bill	✓			
Hayes, Antonio	✓			
McCray, Cory	✓			
Washington, Mary	✓			

SENATE BILL 764

E1

3lr1996
CF HB 613

By: **Senator Carter (By Request – Baltimore City Administration)**

Introduced and read first time: February 6, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Assault of Special Enforcement Officers – Penalties**

3 FOR the purpose of increasing penalties for intentionally causing physical injury to certain
4 special enforcement officers in Baltimore City; and generally relating to penalties for
5 assault.

6 BY repealing and reenacting, with amendments,
7 Article – Criminal Law
8 Section 3–203
9 Annotated Code of Maryland
10 (2021 Replacement Volume and 2022 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:

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;

8 (IV) A SPECIAL ENFORCEMENT OFFICER AUTHORIZED BY
9 BALTIMORE CITY UNDER § 16-16A OF THE CODE OF PUBLIC LOCAL LAWS OF
10 BALTIMORE CITY ENGAGED IN THE PERFORMANCE OF THE OFFICER'S OFFICIAL
11 DUTIES;

12 (V) A SPECIAL PARKING ENFORCEMENT OFFICER AUTHORIZED
13 BY BALTIMORE CITY UNDER § 16-16B OF THE CODE OF PUBLIC LOCAL LAWS OF
14 BALTIMORE CITY ENGAGED IN THE PERFORMANCE OF THE OFFICER'S OFFICIAL
15 DUTIES; OR

16 (VI) A SPECIAL TRAFFIC ENFORCEMENT OFFICER AUTHORIZED
17 BY BALTIMORE CITY UNDER § 16-16C OF THE CODE OF PUBLIC LOCAL LAWS OF
18 BALTIMORE CITY ENGAGED IN THE PERFORMANCE OF THE OFFICER'S OFFICIAL
19 DUTIES.

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2023.



SB0764/453022/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

24 MAR 23
15:23:54

BY: Senator Carter
(To be offered in the Judicial Proceedings Committee)

AMENDMENTS TO SENATE BILL 764
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “City;” insert “requiring the Baltimore City Circuit Court to report to the Baltimore City Delegation to the Maryland General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 2, after line 22, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2024, the Baltimore City Circuit Court shall report to the members of the Baltimore City Delegation to the Maryland General Assembly, in accordance with § 2–1257 of the State Government Article, on the number of arrests and convictions that occurred under § 3–203(c)(2)(iv), (v), or (vi) of the Criminal Law Article, as enacted by Section 1 of this Act.”;

and strike in their entirety lines 23 and 24 and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023. It shall remain effective for a period of 2 years and, at the end of September 30, 2025, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

UNOFFICIAL COPY OF SENATE BILL 764

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UNOFFICIAL COPY OF SENATE BILL 764

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23 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
24 ~~October 1, 2023.~~

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023. It shall remain effective for a period of 2 years and, at the end of September 30, 2025, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.