

HOUSE BILL 59

E1

4lr0519

(PRE-FILED)

By: **Delegate Mangione**

Requested: August 28, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes of Violence – Motor Vehicle Theft**

3 FOR the purpose of designating motor vehicle theft as a certain crime of violence; and
4 generally relating to 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 (2021 Replacement Volume and 2023 Supplement)

10 BY repealing and reenacting, without amendments,
11 Article – Public Safety
12 Section 5–101(a)
13 Annotated Code of Maryland
14 (2022 Replacement Volume and 2023 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Public Safety
17 Section 5–101(c)
18 Annotated Code of Maryland
19 (2022 Replacement Volume and 2023 Supplement)

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

22 **Article – Criminal Law**

23 14–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (a) In this section, “crime of violence” means:
- 2 (1) abduction;
- 3 (2) arson in the first degree;
- 4 (3) kidnapping;
- 5 (4) manslaughter, except involuntary manslaughter;
- 6 (5) mayhem;
- 7 (6) maiming, as previously proscribed under former Article 27, §§ 385 and
8 386 of the Code;
- 9 (7) murder;
- 10 (8) rape;
- 11 (9) robbery under § 3–402 or § 3–403 of this article;
- 12 (10) carjacking **OR MOTOR VEHICLE THEFT**;
- 13 (11) armed carjacking;
- 14 (12) sexual offense in the first degree;
- 15 (13) sexual offense in the second degree;
- 16 (14) use of a firearm in the commission of a felony except possession with
17 intent to distribute a controlled dangerous substance under § 5–602(2) of this article, or
18 other crime of violence;
- 19 (15) child abuse in the first degree under § 3–601 of this article;
- 20 (16) sexual abuse of a minor under § 3–602 of this article if:
- 21 (i) 1. the victim is under the age of 13 years and the offender is
22 an adult at the time of the offense; or
- 23 2. the offender is at least 21 years old and the victim is under
24 the age of 16 years; and
- 25 (ii) the offense involved:
- 26 1. vaginal intercourse, as defined in § 3–301 of this article;

1 2. a sexual act, as defined in § 3–301 of this article;

2 3. an act in which a part of the offender’s body penetrates,
3 however slightly, into the victim’s genital opening or anus; or

4 4. the intentional touching of the victim’s or the offender’s
5 genital, anal, or other intimate area for sexual arousal, gratification, or abuse;

6 (17) home invasion under § 6–202(b) of this article;

7 (18) a felony offense under Title 3, Subtitle 11 of this article;

8 (19) an attempt to commit any of the crimes described in items (1) through
9 (18) of this subsection;

10 (20) continuing course of conduct with a child under § 3–315 of this article;

11 (21) assault in the first degree;

12 (22) assault with intent to murder;

13 (23) assault with intent to rape;

14 (24) assault with intent to rob;

15 (25) assault with intent to commit a sexual offense in the first degree; and

16 (26) assault with intent to commit a sexual offense in the second degree.

17 Article – Public Safety

18 5–101.

19 (a) In this subtitle the following words have the meanings indicated.

20 (c) “Crime of violence” means:

21 (1) abduction;

22 (2) arson in the first degree;

23 (3) assault in the first or second degree;

24 (4) burglary in the first, second, or third degree;

25 (5) **MOTOR VEHICLE THEFT**, carjacking, and armed carjacking;

- 1 (6) escape in the first degree;
- 2 (7) kidnapping;
- 3 (8) voluntary manslaughter;
- 4 (9) maiming as previously proscribed under former Article 27, § 386 of the
5 Code;
- 6 (10) mayhem as previously proscribed under former Article 27, § 384 of the
7 Code;
- 8 (11) murder in the first or second degree;
- 9 (12) rape in the first or second degree;
- 10 (13) robbery;
- 11 (14) robbery with a dangerous weapon;
- 12 (15) sexual offense in the first, second, or third degree;
- 13 (16) home invasion under § 6–202(b) of the Criminal Law Article;
- 14 (17) a felony offense under Title 3, Subtitle 11 of the Criminal Law Article;
- 15 (18) an attempt to commit any of the crimes listed in items (1) through (17)
16 of this subsection; or
- 17 (19) assault with intent to commit any of the crimes listed in items (1)
18 through (17) of this subsection or a crime punishable by imprisonment for more than 1 year.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2024.