

HOUSE BILL 613

E1

3lr1995
CF 3lr1996

By: **Delegate Smith (By Request – Baltimore City Administration)**

Introduced and read first time: February 3, 2023

Assigned to: Judiciary

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.