

HOUSE BILL 894

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9lr0317

By: **Delegates Ciliberti, Arentz, Buckel, Corderman, Cox, Hornberger, Jacobs, McComas, Metzgar, Morgan, Shoemaker, and Wivell**

Introduced and read first time: February 8, 2019

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Felony Second Degree Assault – Emergency Medical Care**
3 **Workers**

4 FOR the purpose of prohibiting a person from intentionally causing physical injury to
5 another if the person knows or has reason to know that the other is a worker who is
6 providing certain services in a certain department at a certain hospital or certain
7 freestanding medical facility; applying certain penalties; and generally relating to
8 felony second degree assault.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 3–203
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2018 Supplement)

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

16 **Article – Criminal Law**

17 3–203.

18 (a) A person may not commit an assault.

19 (b) Except as provided in subsection (c) of this section, a person who violates
20 subsection (a) of this section is guilty of the misdemeanor of assault in the second degree
21 and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding
22 \$2,500 or both.

23 (c) (1) In this subsection, “physical injury” means any impairment of physical

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 condition, excluding minor injuries.

2 (2) A person may not intentionally cause physical injury to another if the
3 person knows or has reason to know that the other is:

4 (i) a law enforcement officer engaged in the performance of the
5 officer's official duties;

6 (ii) a parole or probation agent engaged in the performance of the
7 agent's official duties; [or]

8 (iii) a firefighter, an emergency medical technician, a rescue squad
9 member, or any other first responder engaged in providing emergency medical care or
10 rescue services; **OR**

11 **(IV) A WORKER WHO IS PROVIDING EMERGENCY AND RELATED**
12 **SERVICES IN AN EMERGENCY DEPARTMENT AT A HOSPITAL, AS DEFINED IN § 19-301**
13 **OF THE HEALTH – GENERAL ARTICLE, OR A FREESTANDING MEDICAL FACILITY, AS**
14 **DEFINED IN § 19-3A-01 OF THE HEALTH – GENERAL ARTICLE.**

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

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2019.