

HOUSE BILL 1414

E1
HB 222/16 – JUD

9lr3305
CF SB 948

By: **Delegate Guyton**

Introduced and read first time: March 4, 2019

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Assault in the Second Degree – School Employee**

3 FOR the purpose of prohibiting a person from intentionally causing physical injury to
4 another if the person knows or has reason to know that the other is an employee of
5 a certain school; applying certain penalties; and generally relating to assaults on
6 school employees.

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

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

14 **Article – Criminal Law**

15 3–203.

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

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

21 (c) (1) In this subsection, “physical injury” means any impairment of physical
22 condition, excluding minor injuries.

23 (2) A person may not intentionally cause physical injury to another if the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 person knows or has reason to know that the other is:

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

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

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

9 **(IV) AN EMPLOYEE OF A PUBLIC OR PRIVATE PRESCHOOL,**
10 **ELEMENTARY SCHOOL, OR SECONDARY SCHOOL.**

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

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