

HOUSE BILL 1357

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By: **Delegates Ghrist, Anderton, Arentz, Buckel, Hornberger, Jacobs, Krebs, Mautz, McComas, Morgan, Reilly, Rose, Saab, and Shoemaker**
Introduced and read first time: February 7, 2020
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Felony Second–Degree Assault**

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 employed in a
5 certain position at the Maryland Department of Health or the Department of Human
6 Services and is engaged in the person’s official duties; applying certain penalties to
7 a violation of this Act; and generally relating to felony second–degree assault.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 3–203
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2019 Supplement)

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

15 **Article – Criminal Law**

16 3–203.

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

10 **(IV) A DIRECT CARE ASSISTANT EMPLOYED BY THE MARYLAND**
11 **DEPARTMENT OF HEALTH ENGAGED IN THE PERFORMANCE OF THE DIRECT CARE**
12 **ASSISTANT'S OFFICIAL DUTIES; OR**

13 **(V) A CASE WORKER OR SOCIAL WORKER EMPLOYED BY THE**
14 **DEPARTMENT OF HUMAN SERVICES ENGAGED IN THE PERFORMANCE OF THE CASE**
15 **WORKER'S OR SOCIAL WORKER'S OFFICIAL DUTIES.**

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

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2020.