

SENATE BILL 91

E1
HB 683/18 – JUD

(PRE-FILED)

11r0957

By: **Senators Waldstreicher and McCray**

Requested: October 13, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Assault of a Public Transportation Operator – Penalties**

3 FOR the purpose of increasing the penalties for voluntarily causing physical injury to
4 certain individuals providing public transportation services; and generally relating
5 to penalties for assault.

6 BY repealing and reenacting, with amendments,

7 Article – Criminal Law

8 Section 3–203

9 Annotated Code of Maryland

10 (2012 Replacement Volume and 2020 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

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) A BUS OPERATOR, A TRAIN OPERATOR, A LIGHT RAIL**
10 **OPERATOR, OR ANY OTHER INDIVIDUAL ENGAGED IN PROVIDING PUBLIC**
11 **TRANSPORTATION SERVICES.**

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

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2021.