

HOUSE BILL 906

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7lr2728

By: **Delegates Malone, Aumann, Folden, Gutierrez, S. Howard, Jacobs, Krebs, McComas, W. Miller, Parrott, Saab, and B. Wilson**

Introduced and read first time: February 6, 2017

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Crime of Violence – Home Invasion**

3 FOR the purpose of classifying the offense of home invasion as a crime of violence under a
4 certain provision of law; and generally relating to crimes of violence.

5 BY repealing and reenacting, with amendments,
6 Article – Criminal Law
7 Section 14–101(a)
8 Annotated Code of Maryland
9 (2012 Replacement Volume and 2016 Supplement)

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

12 **Article – Criminal Law**

13 14–101.

14 (a) In this section, “crime of violence” means:

15 (1) abduction;

16 (2) arson in the first degree;

17 (3) kidnapping;

18 (4) manslaughter, except involuntary manslaughter;

19 (5) mayhem;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(6) maiming, as previously proscribed under former Article 27, §§ 385 and 386 of the Code;

(7) murder;

(8) rape;

(9) robbery under § 3–402 or § 3–403 of this article;

(10) carjacking;

(11) armed carjacking;

(12) sexual offense in the first degree;

(13) sexual offense in the second degree;

(14) use of a handgun in the commission of a felony or other crime of violence;

(15) child abuse in the first degree under § 3–601 of this article;

(16) sexual abuse of a minor under § 3–602 of this article if:

(i) the victim is under the age of 13 years and the offender is an adult at the time of the offense; and

(ii) the offense involved:

1. vaginal intercourse, as defined in § 3–301 of this article;

2. a sexual act, as defined in § 3–301 of this article;

3. an act in which a part of the offender's body penetrates, however slightly, into the victim's genital opening or anus; or

4. the intentional touching, not through the clothing, of the victim's or the offender's genital, anal, or other intimate area for sexual arousal, gratification, or abuse;

(17) HOME INVASION UNDER § 6–202(B) OF THIS ARTICLE;

[(17)] (18) an attempt to commit any of the crimes described in items (1) through **[(16)] (17)** of this subsection;

[(18)] (19) continuing course of conduct with a child under § 3–315 of this article;

1 ~~[(19)]~~ **(20)** assault in the first degree;

2 ~~[(20)]~~ **(21)** assault with intent to murder;

3 ~~[(21)]~~ **(22)** assault with intent to rape;

4 ~~[(22)]~~ **(23)** assault with intent to rob;

5 ~~[(23)]~~ **(24)** assault with intent to commit a sexual offense in the first degree;

6 and

7 ~~[(24)]~~ **(25)** assault with intent to commit a sexual offense in the second
8 degree.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2017.