

HOUSE BILL 834

E3
HB 555/19 – JUD

0lr2253

By: **Delegates Malone, Arikan, Buckel, Chisholm, Corderman, Cox, Grammer, Hartman, Hornberger, Krebs, Mangione, McComas, Saab, Shoemaker, and Szeliga**

Introduced and read first time: February 3, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law – Juvenile Court Jurisdiction – Attempted Carjacking**

3 FOR the purpose of providing that the juvenile court does not have jurisdiction over a child
4 at least 16 years old alleged to have committed attempted carjacking or attempted
5 armed carjacking; and generally relating to the jurisdiction of the juvenile court.

6 BY repealing and reenacting, with amendments,
7 Article – Courts and Judicial Proceedings
8 Section 3–8A–03(d)(4)
9 Annotated Code of Maryland
10 (2013 Replacement Volume and 2019 Supplement)

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

13 **Article – Courts and Judicial Proceedings**

14 3–8A–03.

15 (d) The court does not have jurisdiction over:

16 (4) A child at least 16 years old alleged to have committed any of the
17 following crimes, as well as all other charges against the child arising out of the same
18 incident, unless an order removing the proceeding to the court has been filed under §
19 4–202 of the Criminal Procedure Article:

20 (i) Abduction;

21 (ii) Kidnapping;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(iii) Second degree murder;

(iv) Manslaughter, except involuntary manslaughter;

(v) Second degree rape;

(vi) Robbery under § 3–403 of the Criminal Law Article;

(vii) Third degree sexual offense under § 3–307(a)(1) of the Criminal Law Article;

(viii) A crime in violation of § 5–133, § 5–134, § 5–138, or § 5–203 of the Public Safety Article;

(ix) Using, wearing, carrying, or transporting a firearm during and in relation to a drug trafficking crime under § 5–621 of the Criminal Law Article;

(x) Use of a firearm under § 5–622 of the Criminal Law Article;

(xi) Carjacking or armed carjacking under § 3–405 of the Criminal Law Article;

(xii) Assault in the first degree under § 3–202 of the Criminal Law Article;

(xiii) Attempted murder in the second degree under § 2–206 of the Criminal Law Article;

(xiv) Attempted rape in the second degree under § 3–310 of the Criminal Law Article;

(xv) Attempted robbery under § 3–403 of the Criminal Law Article;
[or]

(XVI) ATTEMPTED CARJACKING OR ATTEMPTED ARMED CARJACKING; OR

[(xvi)] (xvii) A violation of § 4–203, § 4–204, § 4–404, or § 4–405 of the Criminal Law Article;

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