

# HOUSE BILL 906

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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

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Committee Report: Favorable

House action: Adopted

Read second time: March 7, 2017

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## CHAPTER \_\_\_\_\_

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;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(3) kidnapping;

(4) manslaughter, except involuntary manslaughter;

(5) mayhem;

(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;**

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

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

5            [(19)] (20) assault in the first degree;

6            [(20)] (21) assault with intent to murder;

7            [(21)] (22) assault with intent to rape;

8            [(22)] (23) assault with intent to rob;

9            [(23)] (24) assault with intent to commit a sexual offense in the first degree;  
10 and

11            [(24)] (25) assault with intent to commit a sexual offense in the second  
12 degree.

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

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.