

# SENATE BILL 294

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By: **Senators Garagiola, Forehand, and Raskin**

Introduced and read first time: January 25, 2008

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Crimes Against a Law Enforcement Officer – Definition of**  
3 **Law Enforcement Officer**

4 FOR the purpose of altering the definition of a law enforcement officer for certain  
5 crimes against law enforcement officers; and generally relating to the crimes  
6 against law enforcement officers.

7 BY repealing and reenacting, with amendments,  
8 Article – Criminal Law  
9 Section 3–201  
10 Annotated Code of Maryland  
11 (2002 Volume and 2007 Supplement)

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

14 **Article – Criminal Law**

15 3–201.

16 (a) In this subtitle the following words have the meanings indicated.

17 (b) “Assault” means the crimes of assault, battery, and assault and battery,  
18 which retain their judicially determined meanings.

19 (c) [(1)] “Law enforcement officer” [has the meaning stated in § 3–101(e)(1)  
20 of the Public Safety Article without application of § 3–101(e)(2).

21 (2) “Law enforcement officer” includes] **MEANS:**

22 (1) **AN INDIVIDUAL WHO:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





1                               **15. THE POLICE FORCE OF THE DEPARTMENT OF**  
 2 **HEALTH AND MENTAL HYGIENE;**

3                               **16. THE POLICE FORCE OF THE DEPARTMENT OF**  
 4 **GENERAL SERVICES;**

5                               **17. THE POLICE FORCE OF THE DEPARTMENT OF**  
 6 **LABOR, LICENSING, AND REGULATION;**

7                               **18. THE POLICE FORCES OF THE UNIVERSITY SYSTEM**  
 8 **OF MARYLAND;**

9                               **19. THE POLICE FORCE OF MORGAN STATE**  
 10 **UNIVERSITY;**

11                               **20. THE OFFICE OF STATE FIRE MARSHAL;**

12                               **21. THE OCEAN PINES POLICE DEPARTMENT;**

13                               **22. THE POLICE FORCE OF THE BALTIMORE CITY**  
 14 **COMMUNITY COLLEGE;**

15                               **23. THE MARYLAND TRANSIT ADMINISTRATION**  
 16 **POLICE FORCE; AND**

17                               **24. THE WMATA METRO TRANSIT POLICE, SUBJECT**  
 18 **TO THE JURISDICTIONAL LIMITATIONS UNDER ARTICLE XVI, § 76 OF THE**  
 19 **WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY COMPACT, WHICH IS**  
 20 **CODIFIED IN § 10-204 OF THE TRANSPORTATION ARTICLE; AND**

21                               **(2)** a correctional officer at a correctional facility.

22                               (d) “Serious physical injury” means physical injury that:

23                               (1) creates a substantial risk of death; or

24                               (2) causes permanent or protracted serious:

25                               (i) disfigurement;

26                               (ii) loss of the function of any bodily member or organ; or

27                               (iii) impairment of the function of any bodily member or organ.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2008.