

HOUSE BILL 321

E1

4lr1574
CF SB 435

By: ~~Delegate Attar~~ Delegates Attar, Schmidt, Kaufman, Simmons, Conaway,
Cardin, and Arian

Introduced and read first time: January 15, 2024

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2024

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Crimes of ~~Arson~~ Malicious or Fraudulent Burning –**
3 **Prohibitions and Penalties**

4 FOR the purpose of prohibiting a person from committing a certain crime of ~~arson~~ malicious
5 or fraudulent burning that causes the death of or serious physical injury to a
6 firefighter ~~under certain circumstances~~; and generally relating to crimes of ~~arson~~
7 malicious or fraudulent burning.

8 BY adding to

9 Article – Criminal Law

10 Section 6–112

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2023 Supplement)

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

15 **Article – Criminal Law**

16 **6–112.**

17 (A) IN THIS SECTION, “CRIME OF ~~ARSON~~ MALICIOUS OR FRAUDULENT
18 BURNING” MEANS ~~A VIOLATION, AN ATTEMPT TO COMMIT A VIOLATION, OR A~~
19 ~~CONSPIRACY TO COMMIT~~ A VIOLATION OF:

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.



~~(1) § 6-102, § 6-103, § 6-104, § 6-105, § 6-106, or § 6-108 of this Subtitle; or~~

~~(2) § 5-704 of the Natural Resources Article § 6-104, § 6-105, or § 6-106 of this Subtitle.~~

(B) A PERSON MAY NOT COMMIT A CRIME OF ~~ARSON~~ MALICIOUS OR FRAUDULENT BURNING THAT CAUSES AN THE DEATH OF OR SERIOUS PHYSICAL INJURY TO A FIREFIGHTER DURING:

~~(1) THE RESPONSE TO THE FIRE; OR~~

~~(2) THE EFFORTS TO SUPPRESS THE FIRE.~~

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS.

(D) A SENTENCE IMPOSED UNDER THIS SECTION ~~SHALL~~ MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE IMPOSED FOR ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.