

distinction between daytime and nighttime housebreaking and doubles the penalty for this offense. See new § 29. Under Section 3 of this bill, this change will apply prospectively to cases in which a defendant is sentenced after the effective date of the bill.

**Article 41 – Governor – Executive and Administrative Departments**

4-501.

In the construction of this subtitle, the following definition shall conclusively determine the meaning of the terms used:

(12) "Violent crime" means [the commission or attempt to commit any of the following offenses:

- (i) Abduction;
- (ii) Arson in the first degree;
- (iii) Burglary, including any common law or statutory form;
- (iv) Escape;
- (v) Housebreaking;
- (vi) Kidnapping;
- (vii) Manslaughter other than involuntary manslaughter;
- (viii) Mayhem;
- (ix) Murder;
- (x) Rape;
- (xi) Robbery, including robbery with a deadly weapon;
- (xii) Carjacking or armed carjacking;
- (xiii) Assault with intent to commit any of these crimes; or

(xiv) Use of a handgun or other deadly weapon in the commission or attempt to commit any crime] BURGLARY IN THE FIRST, SECOND, OR THIRD DEGREE AND ANY CRIME THAT IS LISTED AS A "CRIME OF VIOLENCE" UNDER ARTICLE 27, § 643B OF THE CODE.

COMMITTEE NOTE:

This change is intended to clarify that the term "violent crime" under this subtitle means any crime that is currently listed as a "crime of violence" under Article 27, § 643B of the Code. Since this bill deletes burglary and daytime housebreaking from the definition of "crime of violence" under § 643B, the new language of this section expressly includes burglary in the first, second, or third degree in the definition of "violent crime".