

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE MISDEMEANOR OF ASSAULT IN THE SECOND DEGREE AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$2,500 OR IMPRISONMENT FOR NOT MORE THAN 10 YEARS OR BOTH.

12A-1. FIRST DEGREE ASSAULT.

(A) (1) A PERSON MAY NOT INTENTIONALLY CAUSE OR ATTEMPT TO CAUSE SERIOUS PHYSICAL INJURY TO ANOTHER.

(2) A PERSON MAY NOT COMMIT AN ASSAULT WITH A FIREARM, INCLUDING:

(I) A HANDGUN, ANTIQUE FIREARM, RIFLE, SHOTGUN, SHORT-BARRELED SHOTGUN, OR SHORT-BARRELED RIFLE, AS THOSE TERMS ARE DEFINED IN § 36F OF THIS ARTICLE;

(II) AN ASSAULT PISTOL, AS DEFINED IN § 36H-1 OF THIS ARTICLE;

(III) A PISTOL, REVOLVER, OR ANTIQUE PISTOL OR REVOLVER, AS THOSE TERMS ARE DEFINED IN § 441 OF THIS ARTICLE;

(IV) AN ASSAULT WEAPON, AS DEFINED IN § 481E OF THIS ARTICLE;
AND

(V) A MACHINE GUN, AS DEFINED IN § 372 OF THIS ARTICLE.

(B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE FELONY OF ASSAULT IN THE FIRST DEGREE AND ON CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT MORE THAN 25 YEARS.

12A-2. RECKLESS ENDANGERMENT.

(A) ANY PERSON WHO RECKLESSLY ENGAGES IN CONDUCT THAT CREATES A SUBSTANTIAL RISK OF DEATH OR SERIOUS PHYSICAL INJURY TO ANOTHER PERSON IS GUILTY OF THE MISDEMEANOR OF RECKLESS ENDANGERMENT AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$5,000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH.

(B) THIS SECTION DOES NOT APPLY TO ANY CONDUCT INVOLVING:

(1) THE USE OF A MOTOR VEHICLE AS DEFINED IN § 11-135 OF THE TRANSPORTATION ARTICLE; OR

(2) THE MANUFACTURE, PRODUCTION, OR SALE OF ANY PRODUCT OR COMMODITY.

(C) IF MORE THAN ONE PERSON IS ENDANGERED BY THE CONDUCT OF THE DEFENDANT, A SEPARATE CHARGE MAY BE BROUGHT FOR EACH PERSON ENDANGERED.

COMMITTEE NOTE (COMMITTEE TO REVISE ARTICLE 27): This is the current reckless endangerment statute with mainly stylistic changes. It does not