

imprisonment; adding employees of sheriff's offices to those employees to which certain offenses by inmates apply; providing certain sentencing procedures; and generally relating to offenses by inmates against employees of correctional facilities, jails, detention centers, and sheriff's offices.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments

Section 12A-6

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)

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

Article 27 - Crimes and Punishments

12A-6.

(a) Every inmate convicted of assault in any degree on another inmate or on an employee of the Division of Correction, the Patuxent Institution, the Baltimore City Detention Center, or any county jail [or], detention center, OR SHERIFF'S OFFICE, regardless of employment capacity, shall be sentenced under this section.

(b) (1) AN INMATE WHO MALICIOUSLY CAUSES OR ATTEMPTS MAY NOT MALICIOUSLY CAUSE OR ATTEMPT TO CAUSE ANY EMPLOYEE LISTED IN SUBSECTION (A) OF THIS SECTION TO COME INTO CONTACT WITH BLOOD;

(I) SEMINAL FLUID, URINE, OR FECES; OR

(II) BLOOD, PROVIDED THAT THE CONTACT WITH THE BLOOD IS NOT THE RESULT OF PHYSICAL INJURY RESULTING FROM PHYSICAL BODY CONTACT BETWEEN THE INMATE AND THE EMPLOYEE.

(2) AN INMATE WHO VIOLATES PARAGRAPH (1) OF THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 \$2,500 OR IMPRISONMENT FOR NOT MORE THAN 10 YEARS OR BOTH.

(C) A sentence imposed under this section shall run consecutively to any sentence that was being served at the time of the [assault] OFFENSE, or that had been imposed but was not yet being served at the time of sentencing.

~~[(c)]~~ (D) A sentence imposed under this section may not be suspended.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved May 13, 1999.