

~~This section establishes a new prohibition and penalty against the commission or attempted commission of a robbery by causing or attempting to cause a serious physical injury to another.~~

~~489.~~

(A) IN ANY INDICTMENT, INFORMATION, WARRANT, OR OTHER CHARGING DOCUMENT FOR ROBBERY IN §§ 486 ~~THROUGH 488~~ AND 487 OF THIS SUBHEADING, IT IS SUFFICIENT TO USE A FORMULA SUBSTANTIALLY TO THE FOLLOWING EFFECT: "THAT A-B ON THE DAY OF,, IN THE COUNTY (CITY) AFORESAID, FELONIOUSLY DID ROB C-D OF (PROPERTY/SERVICE) (HAVING A VALUE OF \$500 OR MORE) IN VIOLATION OF ARTICLE 27, SECTION (SECTION VIOLATED) (WITH A DANGEROUS OR DEADLY WEAPON ~~OR WHILE CAUSING OR ATTEMPTING TO CAUSE A SERIOUS PHYSICAL INJURY, AS THE CASE MAY BE~~); CONTRARY TO THE FORM OF THE ACT OF ASSEMBLY IN SUCH CASE MADE AND PROVIDED AND AGAINST THE PEACE, GOVERNMENT, AND DIGNITY OF THE STATE."

(B) IF A CHARGING DOCUMENT ALLEGES THAT THE VALUE OF THE PROPERTY OR SERVICE SUBJECT TO THIS SUBTITLE IS \$500 OR MORE, THE JURY SHALL BE INSTRUCTED BY THE COURT TO DETERMINE IF THE VALUE OF THE PROPERTY OR SERVICE IS:

- (1) LESS THAN \$500; OR
- (2) \$500 OR MORE.

(C) UNLESS A CHARGING DOCUMENT ALLEGES THAT THE VALUE OF THE PROPERTY OR SERVICE SUBJECT TO THIS SUBTITLE IS \$500 OR MORE, A FELONY VIOLATION OF § 342 OF THIS ARTICLE IS NOT A LESSER INCLUDED OFFENSE OF ROBBERY.

COMMITTEE NOTE (COMMITTEE TO REVISE ARTICLE 27): Subsection (a) of this section revises and merges former Article 27, § 487 and § 489 of the Code into one formula for an indictment, information, warrant, or charging document, and includes the ability to list the value of the property or service that is the subject of the robbery, for the purposes of charging felony theft under Article 27, § 342 of the Code.

Subsection (b) of this section requires a jury instruction for determining the value of the property or service at less than \$500, or \$500 or more, for the purposes of establishing misdemeanor or felony theft under Article 27, § 342 as a lesser included offense for robbery in any degree.

562B.

Every person who obtains or attempts to obtain by extortion a sum of money, real or personal property, or any thing of value of ~~[\$300]~~ \$500 or more from any person is guilty of a felony, and upon being convicted thereof, shall be sentenced to imprisonment for not more than ten years or fined not more than \$5,000, or both. If the sum of money, property, or thing of value is under ~~[\$300]~~ \$500, the person is guilty of a misdemeanor and, upon being convicted thereof, shall be sentenced to not more than 18 months and be fined not more than \$500, or both. For the purposes of this section, "extortion" means obtaining property from another, with his consent, induced