

3-203. ASSAULT IN THE SECOND DEGREE.

(A) PROHIBITED.

A PERSON MAY NOT COMMIT AN ASSAULT.

(B) PENALTY.

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

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 12A.

Defined terms: "Assault" § 3-201

"Person" § 1-101

3-204. RECKLESS ENDANGERMENT.

(A) PROHIBITED.

A PERSON MAY NOT RECKLESSLY:

(1) ENGAGE IN CONDUCT THAT CREATES A SUBSTANTIAL RISK OF DEATH OR SERIOUS PHYSICAL INJURY TO ANOTHER; OR

(2) DISCHARGE A FIREARM FROM A MOTOR VEHICLE IN A MANNER THAT CREATES A SUBSTANTIAL RISK OF DEATH OR SERIOUS PHYSICAL INJURY TO ANOTHER.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE MISDEMEANOR OF RECKLESS ENDANGERMENT AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(C) EXCEPTIONS.

(1) SUBSECTION (A)(1) OF THIS SECTION DOES NOT APPLY TO CONDUCT INVOLVING:

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

(II) THE MANUFACTURE, PRODUCTION, OR SALE OF A PRODUCT OR COMMODITY.

(2) SUBSECTION (A)(2) OF THIS SECTION DOES NOT APPLY TO:

(I) A LAW ENFORCEMENT OFFICER OR SECURITY GUARD IN THE PERFORMANCE OF AN OFFICIAL DUTY; OR

(II) AN INDIVIDUAL ACTING IN DEFENSE OF A CRIME OF VIOLENCE.