

(1) TO BE FOUND GUILTY OF RECKLESS ENDANGERMENT UNDER § 3-204 OF THIS SUBTITLE, A DEFENDANT MUST BE CHARGED SPECIFICALLY WITH RECKLESS ENDANGERMENT.

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

(3) A CHARGING DOCUMENT CONTAINING A CHARGE OF RECKLESS ENDANGERMENT UNDER § 3-204 OF THIS SUBTITLE MAY:

(I) INCLUDE A COUNT FOR EACH INDIVIDUAL ENDANGERED BY THE CONDUCT OF THE DEFENDANT; OR

(II) CONTAIN A SINGLE COUNT BASED ON THE CONDUCT OF THE DEFENDANT, REGARDLESS OF THE NUMBER OF INDIVIDUALS ENDANGERED BY THE CONDUCT OF THE DEFENDANT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 12A-2(c) and 12A-4.

In subsections (a) and (b) of this section, the word "crime" is substituted for the former word "offense". See General Revisor's Note to article.

In subsection (a) of this section, the reference to "a crime described in § 3-202, § 3-203, § 3-204, or § 3-205 of this subtitle" is substituted for the former reference to "assault or any other offense under this subheading" since the only crimes included under the former "Assault" subheading were assault in the first degree, assault in the second degree, reckless endangerment, and prison employee contact with a bodily fluid, which have been revised in §§ 3-202, 3-203, 3-204, and 3-205, respectively. Correspondingly, in subsection (b) of this section, the reference to a crime "described in § 3-202, § 3-203, § 3-204, or § 3-205 of this subtitle" is substituted for the former reference to a crime "under this subheading".

Also in subsection (a) of this section, the former archaic phrase "contrary to the form of the Act of the Assembly in such case made and provided" is deleted as surplusage.

In subsection (d)(2) and (3) of this section, the references to an "individual" are substituted for the former references to a "person" because only an individual, and not the other kinds of entities included in the definition of "person", may be subject to reckless endangerment under § 3-204 of this subtitle.

For specific time limits relating to a bill of particulars, see Md. Rule 4-241.

Defined terms: "Assault" § 3-201

"County" § 1-101

3-207. DISMISSAL OF ASSAULT CHARGE.

(A) DISMISSAL.