

3-502. KIDNAPPING.

(A) PROHIBITED.

A PERSON MAY NOT, BY FORCE OR FRAUD, CARRY OR CAUSE A PERSON TO BE CARRIED IN OR OUTSIDE THE STATE WITH THE INTENT TO HAVE THE PERSON CARRIED OR CONCEALED IN OR OUTSIDE THE STATE.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE FELONY OF KIDNAPPING AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 30 YEARS.

(C) EXCEPTION.

KIDNAPPING DOES NOT INCLUDE THE ACT OF A PARENT IN CARRYING A MINOR CHILD OF THAT PARENT IN OR OUTSIDE THE STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 337.

In the introductory language to subsection (a) of this section, the former reference to "counsellors, aiders or abettors" is deleted as included in the reference to a "person".

In subsection (b) of this section, the former reference to a person being sentenced "to the penitentiary" is deleted for consistency within this article. Currently, inmates are sentenced to the custody of a unit such as the Division of Correction and then are placed in a particular facility. See CS § 9-103.

In subsection (c) of this section, the reference to a "minor child of that parent" is substituted for the former reference to a "person under eighteen years of age, by a parent thereof" for brevity.

Defined terms: "Minor" § 1-101
"Person" § 1-101

3-503. CHILD KIDNAPPING.

(A) PROHIBITED.

(1) A PERSON MAY NOT, WITHOUT COLOR OF RIGHT:

(I) FORCIBLY ABDUCT, TAKE, OR CARRY AWAY A CHILD UNDER THE AGE OF 12 YEARS FROM:

1. THE HOME OR USUAL PLACE OF ABODE OF THE CHILD; OR
2. THE CUSTODY AND CONTROL OF THE CHILD'S PARENT OR LEGAL GUARDIAN;

(II) WITHOUT THE CONSENT OF THE CHILD'S PARENT OR LEGAL GUARDIAN, PERSUADE OR ENTICE A CHILD UNDER THE AGE OF 12 YEARS FROM: