

CARRIED, CONCEALED OR OPENLY, WITH THE DELIBERATE PURPOSE OF INJURING OR KILLING ANOTHER, THE COURT SHALL IMPOSE THE HIGHEST SENTENCE OF IMPRISONMENT PRESCRIBED.

(2) A PERSON WHO VIOLATES SUBSECTION (C)(3) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 36.

Throughout this section, the references to a "deadly" weapon are deleted as included in the references to a "dangerous" weapon.

Subsection (a)(1) of this section is new language used as the standard introductory language to a definition subsection.

In subsection (b)(1) of this section, the reference to a "municipal corporation" is substituted for the former reference to "any ... city" for consistency with usage in Md. Constitution, Art. XI-E.

In subsection (b)(3) of this section, the reference to a permit to carry a "handgun" under Art. 27, § 36E is substituted for the former reference to a "concealed weapon" permit for clarity, because Art. 27, § 36E only applies to a permit to carry a handgun.

In subsection (b)(4) of this section, the reference to an "individual" is substituted for the former reference to a "person" because only a natural person may apprehend danger. Similarly, in subsection (c)(2) of this section, the reference to an "individual" is substituted for the former reference to a "person" because only a natural person may be injured by these weapons.

In subsection (c)(4)(ii) of this section, the former reference to a weapon "other than a handgun" is deleted as redundant of the exclusion of a "handgun" from the term "weapon" defined in subsection (a)(5) of this section.

In subsection (d)(1) of this section, the former reference to imprisonment "in jail, or sentenced to the Maryland Department of Correction" 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 (d)(1)(ii) of this section, the term "killing" is substituted for the former reference to "destroying the life of" another, for clarity.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that, in subsection (b)(1) of this section, it is unclear whether the reference to an "officer of the State" who is entitled to wear a dangerous weapon denotes a "law enforcement officer" or some other, broader class of State official. Similarly, in subsection (b)(1) of this