

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Law

9-408.

(A) IN THIS SECTION, "POLICE OFFICER" MEANS AN INDIVIDUAL WHO IS AUTHORIZED TO MAKE AN ARREST UNDER TITLE 2 OF THE CRIMINAL PROCEDURE ARTICLE.

(B) A PERSON MAY NOT INTENTIONALLY:

(1) RESIST A LAWFUL ARREST; OR

~~(1)~~ (2) INTERFERE WITH AN INDIVIDUAL WHO THE PERSON HAS REASON TO KNOW IS A POLICE OFFICER WHO IS MAKING OR ATTEMPTING TO MAKE A LAWFUL ARREST OR DETENTION OF ~~THE PERSON OR ANOTHER PERSON; OR~~

~~(2) FLEE FROM AN INDIVIDUAL WHO THE PERSON HAS REASON TO KNOW IS A POLICE OFFICER WHO IS MAKING OR ATTEMPTING TO MAKE A LAWFUL ARREST OR DETENTION OF THE PERSON.~~

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

~~(D) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE IMPOSED SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME NOT ENUMERATED IN THIS SECTION THAT IS BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.~~

~~(E)~~ (D) THE UNIT OF PROSECUTION FOR A VIOLATION OF THIS SECTION IS BASED ON THE ARREST OR DETENTION REGARDLESS OF THE NUMBER OF POLICE OFFICERS INVOLVED IN THE ARREST OR DETENTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

Approved April 27, 2004.

CHAPTER 119

(House Bill 316)

AN ACT concerning

Criminal Law - Resisting or Interfering with Arrest

FOR the purpose of prohibiting a person from intentionally resisting a lawful arrest; prohibiting a person from intentionally interfering with or fleeing from a police officer who is making or attempting to make an arrest or detention of ~~the person~~