E3 6lr2987 CF HB 266

By: Senator Muse

Introduced and read first time: February 3, 2016

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 Juvenile Court - Jurisdiction 3 FOR the purpose of repealing the jurisdiction of the juvenile court over a child at least 14 4 years old alleged to have done certain acts and over a child at least 16 years old 5 alleged to have committed certain crimes; and generally relating to the jurisdiction 6 of the juvenile court. 7 BY repealing and reenacting, with amendments, 8 Article – Courts and Judicial Proceedings 9 Section 3-8A-03(d)10 Annotated Code of Maryland 11 (2013 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 13 That the Laws of Maryland read as follows:

14 Article – Courts and Judicial Proceedings

15 3–8A–03.

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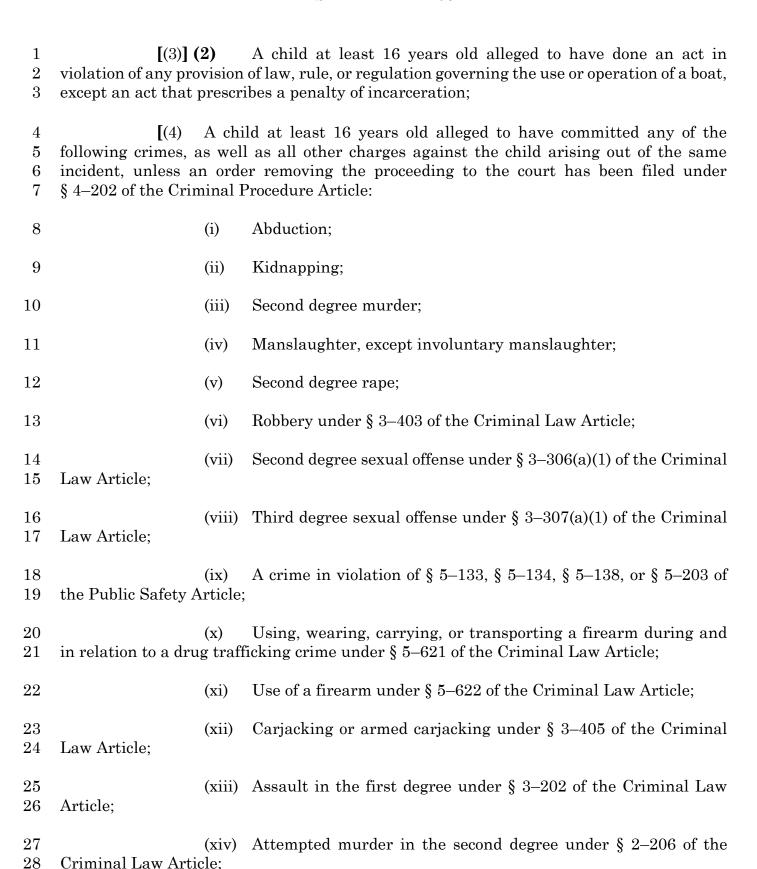
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(d) The court does not have jurisdiction over:

(1) [A child at least 14 years old alleged to have done an act which, if committed by an adult, would be a crime punishable by life imprisonment, as well as all other charges against the child arising out of the same incident, unless an order removing the proceeding to the court has been filed under § 4–202 of the Criminal Procedure Article;

(2)] A child at least 16 years old alleged to have done an act in violation of any provision of the Transportation Article or other traffic law or ordinance, except an act that prescribes a penalty of incarceration;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.



1 2 3	(xv) Attempted rape in the second degree under § 3–310 of the Criminal Law Article or attempted sexual offense in the second degree under § 3–312 of the Criminal Law Article;
4	(xvi) Attempted robbery under § 3–403 of the Criminal Law Article; or
5	(xvii) A violation of § 4–203, § 4–204, § 4–404, or § 4–405 of the
6	Criminal Law Article;]
7	[(5)] (3) A child who previously has been convicted as an adult of a felony
8	and is subsequently alleged to have committed an act that would be a felony if committed
9	by an adult, unless an order removing the proceeding to the court has been filed under
10	§ 4–202 of the Criminal Procedure Article; or
11	[(6)] (4) A peace order proceeding in which the victim, as defined in
12	§ 3-8A-01(cc)(1)(ii) of this subtitle, is a person eligible for relief, as defined in § 4-501 of
13	the Family Law Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.