

# HOUSE BILL 439

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4lr1658  
CF SB 351

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By: **Delegate Taylor**

Introduced and read first time: January 22, 2024

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – First-Degree Assault – Assault With a Firearm**

3 FOR the purpose of adding a certain intent requirement to the elements of the crime of  
4 first-degree assault, with regard to committing an assault with a firearm; and  
5 generally relating to first-degree assault.

6 BY repealing and reenacting, with amendments,  
7 Article – Criminal Law  
8 Section 3–202  
9 Annotated Code of Maryland  
10 (2021 Replacement Volume and 2023 Supplement)

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

13 **Article – Criminal Law**

14 3–202.

15 (a) In this section, “strangling” means impeding the normal breathing or blood  
16 circulation of another person by applying pressure to the other person’s throat or neck.

17 (b) (1) A person may not intentionally cause or attempt to cause serious  
18 physical injury to another.

19 (2) A person may not **INTENTIONALLY** commit an assault with a firearm,  
20 including:

21 (i) a handgun, antique firearm, rifle, shotgun, short-barreled  
22 shotgun, or short-barreled rifle, as those terms are defined in § 4–201 of this article;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (ii) an assault pistol, as defined in § 4–301 of this article;  
2 (iii) a machine gun, as defined in § 4–401 of this article; and  
3 (iv) a regulated firearm, as defined in § 5–101 of the Public Safety  
4 Article.

5 (3) A person may not commit an assault by intentionally strangling  
6 another.

7 (c) A person who violates this section is guilty of the felony of assault in the first  
8 degree and on conviction is subject to imprisonment not exceeding 25 years.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2024.