

SENATE BILL 353

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2004 Regular Session  
4lr1138  
CF 4lr1890

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By: **Senators Stone and Giannetti (Committee to Revise Article 27 - Crimes and Punishments)**

Introduced and read first time: February 4, 2004  
Assigned to: Judicial Proceedings

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Committee Report: Favorable  
Senate action: Adopted  
Read second time: March 17, 2004

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CHAPTER 117

1 AN ACT concerning

2 **Criminal Law - Extortion - Damages and Penalties**

3 FOR the purpose of prohibiting a person, with the intent to unlawfully extort money,  
4 property, or anything of value, from falsely accusing, verbally threatening to  
5 accuse, or knowingly sending a writing threatening to accuse another of a crime  
6 or of anything that, if true, would tend to bring the other into contempt or  
7 disrepute, or from verbally threatening or knowingly sending a writing  
8 threatening to cause physical injury or economic damage to a person, inflict  
9 emotional distress on a person, or cause damage to the property of a person;  
10 increasing certain penalties; and generally relating to crimes of extortion.

11 BY repealing and reenacting, with amendments,  
12 Article - Criminal Law  
13 Section 3-704 through 3-706  
14 Annotated Code of Maryland  
15 (2002 Volume and 2003 Supplement)

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

18 **Article - Criminal Law**

19 3-704.

20 (a) A person, with the intent to UNLAWFULLY extort money [or procure other  
21 profit], PROPERTY, OR ANYTHING OF VALUE FROM ANOTHER, may not falsely accuse

1 or threaten to FALSELY accuse another of a crime or of anything that, if the  
2 accusation were true, would tend to bring the other into contempt or disrepute.

3 (b) A person who violates this section is guilty of a misdemeanor and on  
4 conviction is subject to imprisonment not exceeding [2] 10 years OR A FINE NOT  
5 EXCEEDING \$10,000 OR BOTH.

6 3-705.

7 (a) A person, with the intent to UNLAWFULLY extort [or gain] money,  
8 property, or anything of value from another, may not verbally threaten to:

9 (1) accuse any person of a crime [that may be charged by indictment  
10 under the laws of the State] or of anything that, if true, would bring the person into  
11 contempt or disrepute; or

12 (2) (I) [injure the person or property of anyone] CAUSE PHYSICAL  
13 INJURY TO A PERSON;

14 (II) INFLICT EMOTIONAL DISTRESS ON A PERSON;

15 (III) CAUSE ECONOMIC DAMAGE TO A PERSON; OR

16 (IV) CAUSE DAMAGE TO THE PROPERTY OF A PERSON.

17 (b) A person who violates this section is guilty of a felony and on conviction  
18 [shall be sentenced] IS SUBJECT to imprisonment [for not less than 2 years and] not  
19 exceeding 10 years OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

20 3-706.

21 (a) (1) This section applies to any writing, whether or not the writing is  
22 signed, or if the writing is signed, whether or not it is signed with a fictitious name or  
23 any other mark or designation.

24 (2) This section does not apply to a good faith reasonable notice of  
25 dishonor and warning of criminal prosecution under Title 8, Subtitle 1 of this article  
26 given by a holder of an instrument to the maker of the instrument.

27 (b) A person, with the intent to UNLAWFULLY extort [or gain] money,  
28 property, or anything of value from another, may not knowingly send or deliver, or  
29 make for the purpose of being sent or delivered and part with the possession of, a  
30 writing threatening to:

31 (1) accuse any person of a crime [that may be charged by indictment  
32 under the laws of the State] or of anything that, if true, would bring the person into  
33 contempt or disrepute; or

34 (2) (I) [injure the person or property of anyone] CAUSE PHYSICAL  
35 INJURY TO A PERSON;

- 1 (II) INFLICT EMOTIONAL DISTRESS ON A PERSON;  
2 (III) CAUSE ECONOMIC DAMAGE TO A PERSON; OR  
3 (IV) CAUSE DAMAGE TO THE PROPERTY OF A PERSON.

4 (c) A person who violates this section is guilty of a felony and on conviction is  
5 subject to imprisonment [for not less than 2 years and] not exceeding 10 years OR A  
6 FINE NOT EXCEEDING \$10,000 OR BOTH.

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