

SENATE BILL 160

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SB 539/06 – JPR

71r0839

By: **Senators Mooney, Colburn, Greenip, Haines, Harris, Hooper, Jacobs, Kittleman, Munson, Muse, Peters, Raskin, Simonaire, and Stone**

Introduced and read first time: January 25, 2007

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Hate Crimes – Expanding Prohibitions and Protected Classes of People**

3 FOR the purpose of expanding the scope of the prohibition against harassment,
4 destruction of property, and damage to certain buildings to include certain
5 persons who are homeless; and generally relating to hate crimes against
6 homeless persons.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Law
9 Section 10–304 and 10–305
10 Annotated Code of Maryland
11 (2002 Volume and 2006 Supplement)

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

14 **Article – Criminal Law**

15 10–304.

16 Because of another’s race, color, religious beliefs, sexual orientation, or national
17 origin, **OR ON THE BASIS OF THE INDIVIDUAL BEING HOMELESS**, a person may not:

18 (1) (i) commit a crime against that person;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (ii) damage the real or personal property of that person;
- 2 (iii) deface, damage, or destroy, or attempt to deface, damage, or
3 destroy the real or personal property of that person; or
- 4 (iv) burn or attempt to burn an object on the real or personal
5 property of that person.
- 6 (2) commit a violation of item (1) of this section that:
- 7 (i) except as provided in item (ii) of this item, involves a
8 separate crime that is a felony; or
- 9 (ii) results in the death of the victim.

10 10-305.

11 A person may not deface, damage, or destroy, attempt to deface, damage, or
12 destroy, burn or attempt to burn an object on, or damage the real or personal property
13 connected to a building that is publicly or privately owned, leased, or used, including a
14 cemetery, library, meeting hall, recreation center, or school:

15 (1) because a person or group of a particular race, color, religious
16 belief, sexual orientation, **NEED FOR HOUSING**, or national origin has contacts or is
17 associated with the building; or

18 (2) if there is evidence that exhibits animosity against a person or
19 group, because of the race, color, religious beliefs, sexual orientation, or national origin
20 of that person or group **OR NEED FOR HOUSING OF THAT PERSON OR GROUP**.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2007.