

# HOUSE BILL 993

E1  
HB 1351/12 – JUD

4lr2728

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By: **Delegate Kipke**  
Introduced and read first time: February 6, 2014  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Registered Sex Offenders – Prohibition – Halloween Activities**

3 FOR the purpose of prohibiting a certain individual registered with the State sex  
4 offender registry from participating in any Halloween activity that involves  
5 children or any activity offered as an alternative to Halloween that involves  
6 children; establishing a certain penalty; providing for the application of this Act;  
7 and generally relating to sex offenders and Halloween.

8 BY adding to  
9 Article – Criminal Procedure  
10 Section 11–722.1  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2013 Supplement)

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

15 **Article – Criminal Procedure**

16 **11–722.1.**

17 **(A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
18 **SUBSECTION, THIS SECTION APPLIES ONLY TO A REGISTRANT FOR WHICH THE**  
19 **UNDERLYING OFFENSE INVOLVED A VICTIM UNDER THE AGE OF 14 YEARS AND**  
20 **THE REGISTRANT WAS AT LEAST 21 YEARS OF AGE AT THE TIME THE OFFENSE**  
21 **WAS COMMITTED.**

22 **(2) A REGISTRANT CONVICTED OF VIOLATING §§ 3–303,**  
23 **3–304(A)(1) OR (2), 3–305, 3–306(A)(1) OR (2), OR 3–307(A)(1) OR (2) OF THE**  
24 **CRIMINAL LAW ARTICLE IS SUBJECT TO THE PROVISIONS OF THIS SECTION,**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 REGARDLESS OF THE AGE OF THE VICTIM OR THE AGE OF THE REGISTRANT AT  
2 THE TIME THE OFFENSE WAS COMMITTED.

3 (B) A REGISTRANT MAY NOT PARTICIPATE IN ANY HALLOWEEN  
4 ACTIVITY THAT INVOLVES CHILDREN OR ANY ACTIVITY OFFERED AS AN  
5 ALTERNATIVE TO HALLOWEEN THAT INVOLVES CHILDREN, INCLUDING:

6 (1) PARTICIPATING IN TRICK-OR-TREATING;

7 (2) DISTRIBUTING CANDY TO CHILDREN;

8 (3) ATTENDING A SCHOOL FUNCTION; AND

9 (4) ATTENDING A COMMUNITY FESTIVAL.

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

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 July 1, 2014.