

Department of Legislative Services  
Maryland General Assembly  
2016 Session

FISCAL AND POLICY NOTE  
Third Reader

Senate Bill 287

(Senator Hough, *et al.*)

Judicial Proceedings

Judiciary

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Criminal Law - False Statement Concerning Destructive Device or Toxic  
Material - Venue

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This bill authorizes a person to be prosecuted for making a false statement concerning a destructive device or toxic material using a telephone or other electronic means in the county in which the destructive device or toxic material was stated or was rumored to be located.

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Fiscal Summary

**State Effect:** The bill is procedural/technical in nature and does not materially affect State finances.

**Local Effect:** The bill is procedural/technical in nature and does not materially affect local finances.

**Small Business Effect:** None.

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Analysis

**Current Law:** A person is prohibited from circulating or transmitting to another, with intent that it be acted on, a statement or rumor that the person knows to be false about the location or possible detonation of a destructive device or the location or possible release of toxic material. A violator is guilty of a felony, punishable by imprisonment for up to 10 years and/or a \$10,000 maximum fine. Violators may also be required to pay restitution. If the offense was committed by a minor, the minor's driving privileges may be suspended.

The prohibition does not apply to a statement made or rumor circulated by an officer, employee, or agent of a bona fide civilian defense organization or unit, if made in the regular course of the person's duties.

If the crime was committed using a telephone or other electronic means, the crime may be prosecuted in the county in which the communication originated or the county in which the communication was received.

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### **Additional Information**

**Prior Introductions:** HB 234 of 2014 passed the House and received a hearing in the Senate Judicial Proceedings Committee. No further action was taken on the bill. HB 719 of 2013 passed the House and received a hearing in the Senate Judicial Proceedings Committee. No further action was taken on the bill.

**Cross File:** HB 121 (Delegate Carozza, *et al.*) - Judiciary.

**Information Source(s):** Judiciary (Administrative Office of the Courts), State's Attorneys' Association, Department of Legislative Services

**Fiscal Note History:** First Reader - January 27, 2016  
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