

HB1695/718775/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1695
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Defacement” and substitute “Use of a Noose or Swastika to Threaten or Intimidate”; strike beginning with “defining” in line 8 down through “crimes” in line 11 and substitute “prohibiting a person from affixing, erecting, or placing a noose or swastika on any building or real property, without the express permission of the owner of the building or property, the owner’s agent, or a lawful occupant, with the intent to threaten or intimidate any person or group of persons; establishing that a certain penalty applies to a violation of this Act; and generally relating to the use of a noose or swastika to threaten or intimidate a person or group of persons”; and strike in their entirety lines 17 through 21, inclusive, and substitute:

“BY adding to

Article - Criminal Law

Section 10-305.1

Annotated Code of Maryland

(2012 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, without amendments,

Article - Criminal Law

Section 10-306

Annotated Code of Maryland

(2012 Replacement Volume and 2017 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 20 on page 2 through line 2 on page 3, inclusive, and substitute:

(Over)

“10-305.1.

A PERSON MAY NOT AFFIX, ERECT, OR PLACE A NOOSE OR SWASTIKA ON A BUILDING OR REAL PROPERTY, PUBLIC OR PRIVATE, WITHOUT THE EXPRESS PERMISSION OF THE OWNER, OWNER’S AGENT, OR LAWFUL OCCUPANT OF THE BUILDING OR REAL PROPERTY, WITH THE INTENT TO THREATEN OR INTIMIDATE ANY PERSON OR GROUP OF PERSONS.

10-306.

(a) Except as provided in subsection (b) of this section, a person who violates this subtitle is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both.

(b) (1) A person who violates § 10-304(2)(i) of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

(2) A person who violates § 10-304(2)(ii) of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding \$20,000 or both.”.