

HOUSE BILL 168

E4

9lr0129

By: **Chair, Judiciary Committee (By Request – Departmental – State Police)**

Introduced and read first time: January 23, 2019

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Reporting of Hate Crimes**

3 FOR the purpose of altering certain requirements for the reporting, collection, and analysis
4 of information relating to hate crimes to require the Department of State Police to
5 collect and analyze information about incidents apparently directed against an
6 individual or a group because of color, religious beliefs, gender, disability, national
7 origin, or homelessness; altering certain information required to be provided by each
8 local law enforcement agency and the State Fire Marshal to the Department; altering
9 certain information for which the Department is required to adopt procedures for
10 collection and analysis; altering certain information about which the Department is
11 required to make certain reports to the Commission on Civil Rights; and generally
12 relating to the reporting of hate crimes.

13 BY repealing and reenacting, without amendments,
14 Article – Criminal Law
15 Section 10–304
16 Annotated Code of Maryland
17 (2012 Replacement Volume and 2018 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Public Safety
20 Section 2–307
21 Annotated Code of Maryland
22 (2018 Replacement Volume)

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

25 **Article – Criminal Law**

26 10–304.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Because of another person's or group's race, color, religious beliefs, sexual
2 orientation, gender, disability, or national origin, or because another person or group is
3 homeless, a person may not:

4 (1) (i) commit a crime or attempt to commit a crime against that person
5 or group;

6 (ii) damage the real or personal property of that person or group;

7 (iii) deface, damage, or destroy, or attempt to deface, damage, or
8 destroy the real or personal property of that person or group; or

9 (iv) burn or attempt to burn an object on the real or personal property
10 of that person or group; or

11 (2) commit a violation of item (1) of this section that:

12 (i) except as provided in item (ii) of this item, involves a separate
13 crime that is a felony; or

14 (ii) results in the death of a victim.

15 Article – Public Safety

16 2–307.

17 (a) The Department shall collect, analyze, and disseminate information about the
18 incidence of crime in the State.

19 (b) (1) The Department shall collect and analyze information about incidents
20 apparently directed against an individual or group because of race, [religion, ethnicity, or]
21 **COLOR, RELIGIOUS BELIEFS**, sexual orientation, **GENDER, DISABILITY, NATIONAL**
22 **ORIGIN, OR HOMELESSNESS**.

23 (2) Each local law enforcement agency and the State Fire Marshal shall
24 provide the Department with the information described in paragraph (1) of this subsection.

25 (3) The Department shall adopt procedures for the collection and analysis
26 of the information described in paragraph (1) of this subsection.

27 (4) The Department shall make monthly reports to the Commission on
28 Civil Rights about the information described in paragraph (1) of this subsection.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2019.