

SENATE BILL 609

E4
SB 42/17 – JPR

4lr1012

By: **Senators Folden, Bailey, Carozza, McKay, Salling, and West**
Introduced and read first time: January 26, 2024
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Hate Crimes – Law Enforcement Officers**

3 FOR the purpose of including law enforcement officers within the scope of certain
4 prohibitions against committing certain crimes against certain persons, damaging
5 certain property of certain persons, burning certain objects, and damaging certain
6 buildings with which certain persons or groups have contacts or associations or
7 under circumstances exhibiting animosity against a certain person or group; and
8 generally relating to hate crimes against law enforcement officers.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 10–301, 10–304, and 10–305
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2023 Supplement)

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

16 **Article – Criminal Law**

17 10–301.

- 18 (a) In this subtitle the following words have the meanings indicated.
- 19 (b) “Gender identity” has the meaning stated in § 20–101 of the State Government
20 Article.
- 21 (c) “Homeless” means:
- 22 (1) lacking a fixed, regular, and adequate nighttime residence; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (2) having a primary nighttime residence that is:

2 (i) a supervised publicly or privately operated shelter designed to
3 provide temporary living accommodations; or

4 (ii) a public or private place not designed for or ordinarily used as a
5 regular sleeping accommodation for human beings.

6 (d) **“LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN § 3–201**
7 **OF THIS ARTICLE.**

8 (E) “Sexual orientation” means the identification of an individual as to male or
9 female homosexuality, heterosexuality, or bisexuality.

10 10–304.

11 Motivated either in whole or in substantial part by another person’s or group’s race,
12 color, religious beliefs, sexual orientation, gender, gender identity, disability, or national
13 origin, or because another person or group is homeless **OR A LAW ENFORCEMENT**
14 **OFFICER**, a person may not:

15 (1) (i) commit a crime or attempt or threaten to commit a crime against
16 that person or group;

17 (ii) deface, damage, or destroy, or attempt or threaten to deface,
18 damage, or destroy the real or personal property of that person or group;

19 (iii) burn or attempt or threaten to burn an object on the real or
20 personal property of that person or group; or

21 (iv) make or cause to be made a false statement, report, or complaint
22 that the person knows to be false as a whole or in material part, to a law enforcement officer
23 of the State, of a county, municipal corporation, or other political subdivision of the State,
24 or of the Maryland–National Capital Park and Planning Police, about that person or group,
25 with the intent to deceive and to cause an investigation or other action to be taken as a
26 result of the statement, report, or complaint, in violation of § 9–501 of this article; or

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

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

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

31 10–305.

32 A person may not deface, damage, or destroy, attempt or threaten to deface, damage,

1 or destroy, burn or attempt or threaten to burn an object on, or damage the real or personal
2 property connected to a building that is publicly or privately owned, leased, or used,
3 including a cemetery, library, meeting hall, recreation center, or school:

4 (1) because a person or group of a particular race, color, religious belief,
5 sexual orientation, gender, gender identity, disability, or national origin[, or because a
6 person or group that is homeless,] has contacts or is associated with the building; [or]

7 (2) BECAUSE A PERSON OR GROUP THAT IS HOMELESS HAS CONTACTS
8 OR IS ASSOCIATED WITH THE BUILDING;

9 (3) BECAUSE A LAW ENFORCEMENT OFFICER OR GROUP OF LAW
10 ENFORCEMENT OFFICERS HAS CONTACTS OR IS ASSOCIATED WITH THE BUILDING;
11 OR

12 [(2)] (4) if there is evidence that exhibits animosity against a person or
13 group[, because of the race, color, religious beliefs, sexual orientation, gender, gender
14 identity, disability, or national origin of that person or group or because that person or
15 group is homeless]:

16 (I) BECAUSE OF THE RACE, COLOR, RELIGIOUS BELIEFS,
17 SEXUAL ORIENTATION, GENDER, GENDER IDENTITY, DISABILITY, OR NATIONAL
18 ORIGIN OF THAT PERSON OR GROUP;

19 (II) BECAUSE THAT PERSON OR GROUP IS HOMELESS; OR

20 (III) BECAUSE THAT PERSON IS A LAW ENFORCEMENT OFFICER
21 OR BECAUSE THAT GROUP CONSISTS OF LAW ENFORCEMENT OFFICERS.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2024.