

**Department of Legislative Services**  
Maryland General Assembly  
2025 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 305  
Judiciary

(Delegate Rosenberg)

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**Criminal Law - Interference With Access to or Egress From a Religious Facility -  
Prohibition**

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This bill prohibits a person, acting alone or with others, from intentionally preventing another from entering or exiting a “religious facility” by physically detaining the other or obstructing, impeding, or hindering the other’s passage. Violators are guilty of a misdemeanor and subject to imprisonment for up to 90 days and/or a fine of up to \$1,000. The bill’s provisions do not prohibit speech, and the bill does not apply to (1) the chief executive officer of the religious facility or their designee; (2) an agent of the religious facility; or (3) a law enforcement officer.

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**Fiscal Summary**

**State Effect:** The bill is not anticipated to materially affect State finances or operations.

**Local Effect:** The bill is not anticipated to materially affect local finances or operations.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** “Religious facility” means real property that is owned, leased, or used by a religious entity or for any religious purpose. Religious facility includes (1) a place of worship; (2) a cemetery; (3) a religious school, educational facility, or community center; and (4) the grounds adjacent to them.

## **Current Law:**

### *Disturbing the Peace and Disorderly Conduct – § 10-201 of the Criminal Law Article*

Section 10-201 of the Criminal Law Article contains a variety of prohibitions that constitute disturbing the peace and disorderly conduct.

Generally, a person may not (1) willfully and without lawful purpose obstruct or hinder the free passage of another in a public place or on a public conveyance; (2) willfully act in a disorderly manner that disturbs the public peace; or (3) willfully fail to obey a reasonable and lawful order that a law enforcement officer makes to prevent a disturbance to the public peace.

A person who enters the land or premises of another or a beach, as specified, may not willfully act in a disorderly manner or disturb the peace of persons on the land, premises, or beach by making an unreasonably loud noise. Additionally, a person from any location may not, by making an unreasonably loud noise, willfully disturb the peace of another on the other's land or premises, in a public place, or on a public conveyance.

Violators are guilty of a misdemeanor, punishable by imprisonment for up to 60 days and/or a maximum fine of \$500.

“Public place” means a place to which the public or a portion of the public has access and a right to resort for business, dwelling, entertainment, or other lawful purpose. Places of public worship, educational institutions, and public streets, sidewalks, and rights of way are specifically included as public places under § 10-201.

“Public conveyance” means a conveyance to which the public or a portion of the public has access to and a right to use for transportation, including specified modes of transportation. For purposes of a prosecution, a public conveyance or a public place need not be devoted solely to public use.

### *Interference with Access to or Egress from a Medical Facility – § 10-204 of the Criminal Law Article*

An individual may not intentionally act, alone or with others, to prevent another from entering or exiting a medical facility by physically detaining the other or obstructing, impeding, or hindering the other's passage. Violators are guilty of a misdemeanor and subject to imprisonment for up to 90 days and/or a fine of up to \$1,000.

The prohibition does not apply to (1) the chief executive officer of the medical facility or their designee; (2) an agent of the medical facility; or (3) a law enforcement officer. These

provisions do not prohibit speech or picketing in connection with a labor dispute, as specified.

*Obstruction of Entry to or Exit from a Funeral, Burial, Etc. – § 10-205 of the Criminal Law Article*

A person may not knowingly obstruct, hinder, impede, or block another person's entry to or exit from a funeral, burial, memorial service, or funeral procession. A person also may not address speech to a person attending a funeral, burial, memorial service, or funeral procession that is likely to incite or produce an imminent breach of the peace. Section 10-205 also prohibits a person from engaging in picketing activity within 500 feet of a funeral, burial, memorial service, or funeral procession that is targeted at one or more persons attending the funeral, burial, memorial service, or funeral procession. These provisions do not apply to a person who conducts a funeral, burial, memorial service, or funeral procession. Violators are guilty of a misdemeanor and subject to imprisonment for up to 90 days and/or a \$1,000 maximum fine.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** SB 287 (Senator West) - Judicial Proceedings.

**Information Source(s):** Prince George's County; Maryland Association of Counties; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Maryland State's Attorneys' Association; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

**Fiscal Note History:** First Reader - January 29, 2025  
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