

HOUSE BILL 585

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EMERGENCY BILL
ENROLLED BILL

(4lr4583)

— Judiciary/Education, Energy, and the Environment —

Introduced by **The Speaker (By Request – Administration) and Delegates Allen, Amprey, Anderton, Bagnall, Bartlett, Bhandari, Bofo, Bouchat, Boyce, Charkoudian, Conaway, Crutchfield, Davis, Ebersole, Embry, Fennell, Foley, Fraser-Hidalgo, Grossman, Guyton, Guzzone, Harris, Harrison, Henson, Hill, Ivey, Jackson, A. Johnson, S. Johnson, D. Jones, Kaufman, J. Long, Lopez, Love, McCaskill, T. Morgan, Munoz, Palakovich Carr, Pasteur, Patterson, Phillips, Pruski, Roberson, Roberts, Ruff, Ruth, Simmons, Simpson, Solomon, Spiegel, Stewart, Taveras, Taylor, Toles, Turner, Valderrama, Watson, White Holland, Williams, and Wu**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Protecting Election Officials Act of 2024**

3 FOR the purpose of prohibiting a person from knowingly and willfully making a threat to
4 harm an election official or an immediate family member of an election official
5 because of the election official's role in administering the election process; and
6 generally relating to prohibiting threats against election officials and their
7 immediate family members.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY adding to
 2 Article – Election Law
 3 Section 16–904
 4 Annotated Code of Maryland
 5 (2022 Replacement Volume and 2023 Supplement)

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

8 **Article – Election Law**

9 **16–904.**

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 11 INDICATED.

12 (2) (I) “ELECTION OFFICIAL” MEANS:

13 ~~(I)~~ 1. THE STATE ADMINISTRATOR;

14 ~~(II)~~ 2. A MEMBER OF THE STATE BOARD;

15 ~~(III)~~ 3. AN EMPLOYEE OF THE STATE BOARD;

16 ~~(IV)~~ 4. COUNSEL TO THE STATE BOARD;

17 ~~(IV)~~ ~~(V)~~ 5. A COUNTY ELECTION DIRECTOR APPOINTED
 18 UNDER § 2–202 OF THIS ARTICLE;

19 ~~(V)~~ ~~(VI)~~ 6. A MEMBER OF A LOCAL BOARD;

20 ~~(VI)~~ ~~(VII)~~ 7. AN EMPLOYEE OF A LOCAL BOARD; ~~OR~~

21 ~~(VIII)~~ 8. COUNSEL TO A LOCAL BOARD; OR

22 ~~(VII)~~ ~~(IX)~~ 9. AN ELECTION JUDGE.

23 (II) “ELECTION OFFICIAL” INCLUDES:

24 1. AN INDIVIDUAL WHO TAKES THE OATH PRESCRIBED IN
 25 ARTICLE I, § 9 OF THE MARYLAND CONSTITUTION TO ASSIST IN ADMINISTERING AN
 26 ELECTION; AND

27 2. A PAGE AS DEFINED IN § 10–401 OF THIS ARTICLE.

1 (3) “ELECTRONIC COMMUNICATION” HAS THE MEANING STATED IN §
2 3–805 OF THE CRIMINAL LAW ARTICLE.

3 (4) “HARM” INCLUDES:

4 (I) SERIOUS INJURY; AND

5 (II) SERIOUS EMOTIONAL DISTRESS.

6 (5) “IMMEDIATE FAMILY MEMBER” INCLUDES:

7 (I) A PARENT;

8 (II) A SPOUSE; AND

9 (III) A CHILD.

10 (6) “THREAT” INCLUDES:

11 (I) AN ORAL THREAT;

12 (II) A THREAT MADE BY ELECTRONIC COMMUNICATION; AND

13 (III) A THREAT IN ANY WRITTEN FORM, WHETHER OR NOT THE
14 WRITING IS SIGNED, OR IF THE WRITING IS SIGNED, WHETHER OR NOT IT IS SIGNED
15 WITH A FICTITIOUS NAME OR ANY OTHER MARK.

16 (B) A PERSON MAY NOT KNOWINGLY AND WILLFULLY MAKE A THREAT TO
17 HARM AN ELECTION OFFICIAL OR AN IMMEDIATE FAMILY MEMBER OF AN ELECTION
18 OFFICIAL BECAUSE OF THE ELECTION OFFICIAL’S ROLE IN ADMINISTERING THE
19 ELECTION PROCESS.

20 (C) A PERSON MAY NOT KNOWINGLY SEND, DELIVER, PART WITH, OR MAKE
21 FOR THE PURPOSE OF SENDING OR DELIVERING A THREAT PROHIBITED UNDER
22 SUBSECTION (B) OF THIS SECTION.

23 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
24 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A
25 FINE NOT EXCEEDING \$2,500 OR BOTH.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect June~~
27 ~~1, 2024~~ is an emergency measure, is necessary for the immediate preservation of the public
28 health or safety, has been passed by a yea and nay vote supported by three-fifths of all the

1 members elected to each of the two Houses of the General Assembly, and shall take effect
2 from the date it is enacted.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.