

# HOUSE BILL 585

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CF SB 480

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By: **The Speaker (By Request – Administration) and Delegates Allen, Amprey, Anderton, Bagnall, Bartlett, Bhandari, Boafo, 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**

Introduced and read first time: January 24, 2024

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 2, 2024

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## 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.

8 BY adding to

9 Article – Election Law

10 Section 16–904

11 Annotated Code of Maryland

12 (2022 Replacement Volume and 2023 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

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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.



## Article – Election Law

16-904.

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

(2) “ELECTION OFFICIAL” MEANS:

(I) THE STATE ADMINISTRATOR;

(II) A MEMBER OF THE STATE BOARD;

(III) AN EMPLOYEE OF THE STATE BOARD;

(IV) COUNSEL TO THE STATE BOARD;

~~(V)~~ (V) A COUNTY ELECTION DIRECTOR APPOINTED UNDER § 2-202 OF THIS ARTICLE;

~~(VI)~~ (VI) A MEMBER OF A LOCAL BOARD;

~~(VII)~~ (VII) AN EMPLOYEE OF A LOCAL BOARD; ~~OR~~

(VIII) COUNSEL TO A LOCAL BOARD; OR

~~(IX)~~ (IX) AN ELECTION JUDGE.

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

(4) “HARM” INCLUDES:

(I) SERIOUS INJURY; AND

(II) SERIOUS EMOTIONAL DISTRESS.

(5) “IMMEDIATE FAMILY MEMBER” INCLUDES:

(I) A PARENT;

(II) A SPOUSE; AND

(III) A CHILD.

1           **(6) “THREAT” INCLUDES:**

2                   **(I) AN ORAL THREAT;**

3                   **(II) A THREAT MADE BY ELECTRONIC COMMUNICATION; AND**

4                   **(III) A THREAT IN ANY WRITTEN FORM, WHETHER OR NOT THE**  
5 **WRITING IS SIGNED, OR IF THE WRITING IS SIGNED, WHETHER OR NOT IT IS SIGNED**  
6 **WITH A FICTITIOUS NAME OR ANY OTHER MARK.**

7           **(B) A PERSON MAY NOT KNOWINGLY AND WILLFULLY MAKE A THREAT TO**  
8 **HARM AN ELECTION OFFICIAL OR AN IMMEDIATE FAMILY MEMBER OF AN ELECTION**  
9 **OFFICIAL BECAUSE OF THE ELECTION OFFICIAL’S ROLE IN ADMINISTERING THE**  
10 **ELECTION PROCESS.**

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

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

17           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
18 1, 2024.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.