

SENATE BILL 480

G1

EMERGENCY BILL

4lr4582
CF HB 585

By: **The President (By Request – Administration) and Senators Bailey, Beidle, Brooks, Charles, Corderman, Elfreth, Gile, Hettleman, Lam, McKay, Rosapepe, Salling, Waldstreicher, M. Washington, West, ~~and Zucker~~ Zucker, and Kagan**

Introduced and read first time: January 22, 2024

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 23, 2024

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:

15 **Article – Election Law**

16 **16–904.**

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.



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

3 (2) (I) “ELECTION OFFICIAL” MEANS:

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

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

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

7 ~~(IV)~~ 4. A COUNTY ELECTION DIRECTOR APPOINTED UNDER §
8 2-202 OF THIS ARTICLE;

9 ~~(V)~~ 5. A MEMBER OF A LOCAL BOARD;

10 ~~(VI)~~ 6. AN EMPLOYEE OF A LOCAL BOARD; OR

11 ~~(VII)~~ 7. AN ELECTION JUDGE.

12 (II) “ELECTION OFFICIAL” INCLUDES:

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

16 2. A PAGE AS DEFINED IN § 10-401 OF THIS ARTICLE.

17 (3) “ELECTRONIC COMMUNICATION” HAS THE MEANING STATED IN §
18 3-805 OF THE CRIMINAL LAW ARTICLE.

19 (4) “HARM” INCLUDES:

20 (I) SERIOUS INJURY; AND

21 (II) SERIOUS EMOTIONAL DISTRESS.

22 (5) “IMMEDIATE FAMILY MEMBER” INCLUDES:

23 (I) A PARENT;

24 (II) A SPOUSE; AND

25 (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 is an emergency measure, is necessary for the immediate preservation of the public
19 health or safety, has been passed by a yea and nay vote supported by three-fifths of all the
20 members elected to each of the two Houses of the General Assembly, and shall take effect
21 from the date it is enacted.

Approved:

_____ Governor.

_____ President of the Senate.

_____ Speaker of the House of Delegates.