
By: Senators Frosh, Teitelbaum, Sfikas, Forehand, Van Hollen, Currie, Ruben, and McFadden

Introduced and read first time: January 31, 1996

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Demonstrating or Teaching the Use or Making of Destructive Devices**

3 FOR the purpose of prohibiting a person from teaching or demonstrating to another
4 person how to use or make certain devices or how to use or apply a certain skill or
5 technique if the person teaching or demonstrating knows or has reason to know that
6 the skill or technique will be used in the commission of, or in furtherance of, a civil
7 disorder; prohibiting a person from assembling with one or more persons for the
8 purpose of training with, practicing with, or being instructed in the use of certain
9 devices, skills, or techniques with the intent of using the training, practice, or
10 instruction in the commission of, or in furtherance of, a civil disorder; establishing
11 certain exceptions; defining certain terms; establishing certain penalties; and
12 generally relating to civil disorders.

13 BY adding to

14 Article 27 - Crimes and Punishments
15 Section 139D
16 Annotated Code of Maryland
17 (1992 Replacement Volume and 1995 Supplement)

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

20 **Article 27 - Crimes and Punishments**

21 139D.

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

24 (2) "CIVIL DISORDER" MEANS A DISTURBANCE OF THE PUBLIC PEACE
25 BY THREE OR MORE INDIVIDUALS INVOLVING ACTS OF VIOLENCE THAT CAUSES AN
26 IMMEDIATE DANGER OF OR RESULTS IN THE DAMAGE OR INJURY TO THE
27 PROPERTY OR PERSON OF ANOTHER.

28 (3) "DESTRUCTIVE EXPLOSIVE DEVICE" HAS THE MEANING STATED IN §
29 139B OF THIS SUBHEADING.

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1 (4) "FIREARM" MEANS ANY WEAPON THAT IS MANUFACTURED,
2 DESIGNED, OR MAY BE READILY CONVERTED TO EXPEL A PROJECTILE BY THE
3 ACTION OF AN EXPLOSIVE.

4 (5) "LAW ENFORCEMENT PERSONNEL" MEANS A MEMBER OF A POLICE
5 FORCE OR OTHER AGENCY OF THE UNITED STATES, A STATE, A COUNTY, THE
6 DISTRICT OF COLUMBIA, A MUNICIPALITY, OR OTHER POLITICAL SUBDIVISION WHO
7 IS:

8 (I) AUTHORIZED BY LAW TO MAKE ARRESTS; OR

9 (II) CERTIFIED BY THE POLICE FORCE OR AGENCY AS BEING
10 TRAINED AND QUALIFIED IN THE USE OF FIREARMS.

11 (6) "MOLOTOV COCKTAIL" HAS THE MEANING STATED IN § 139A OF THIS
12 SUBHEADING.

13 (7) "PIPE BOMB" HAS THE MEANING STATED IN § 139C OF THIS
14 SUBHEADING.

15 (B) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A PERSON
16 MAY NOT TEACH OR DEMONSTRATE TO ANOTHER PERSON:

17 (1) HOW TO USE OR MAKE A DESTRUCTIVE EXPLOSIVE DEVICE, PIPE
18 BOMB, MOLOTOV COCKTAIL, OR FIREARM IF THE PERSON TEACHING OR
19 DEMONSTRATING KNOWS OR HAS REASON TO KNOW THAT THE SKILL BEING
20 TAUGHT OR DEMONSTRATED WILL BE USED IN THE COMMISSION OF, OR IN
21 FURTHERANCE OF, A CIVIL DISORDER; OR

22 (2) HOW TO USE OR APPLY A SKILL OR TECHNIQUE CAPABLE OF
23 CAUSING INJURY OR DEATH TO A HUMAN BEING IF THE PERSON TEACHING OR
24 DEMONSTRATING KNOWS OR HAS REASON TO KNOW THAT THE SKILL OR
25 TECHNIQUE BEING TAUGHT OR DEMONSTRATED WILL BE USED IN THE
26 COMMISSION OF, OR IN FURTHERANCE OF, A CIVIL DISORDER.

27 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A PERSON
28 MAY NOT ASSEMBLE WITH ONE OR MORE PERSONS FOR THE PURPOSE OF TRAINING
29 WITH, PRACTICING WITH, OR BEING INSTRUCTED IN THE USE OF A DESTRUCTIVE
30 EXPLOSIVE DEVICE, PIPE BOMB, MOLOTOV COCKTAIL, FIREARM, OR TECHNIQUE
31 CAPABLE OF CAUSING INJURY OR DEATH TO A HUMAN BEING, WITH THE INTENT OF
32 USING THE TRAINING, PRACTICE, OR INSTRUCTION FOR USE IN THE COMMISSION
33 OF, OR IN FURTHERANCE OF, A CIVIL DISORDER.

34 (D) THIS SECTION DOES NOT APPLY TO:

35 (1) LAW ENFORCEMENT PERSONNEL WHILE ACTING IN THE SCOPE OF
36 THEIR OFFICIAL BUSINESS;

37 (2) MEMBERS OF THE ARMED FORCES OF THE UNITED STATES WHILE
38 ON DUTY;

39 (3) THE ORGANIZED MILITIA OF THIS STATE, AS DESCRIBED IN
40 ARTICLE 65, § 5 OF THE CODE, WHILE ON DUTY; OR

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1 (4) THE ORGANIZED MILITIA OR NATIONAL GUARD OF ANOTHER
2 STATE OR TERRITORY OF THE UNITED STATES, THE COMMONWEALTH OF PUERTO
3 RICO, OR THE DISTRICT OF COLUMBIA, WHILE ON DUTY.

4 (E) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON
5 CONVICTION IS SUBJECT TO A TERM OF IMPRISONMENT NOT EXCEEDING 25 YEARS
6 OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 1996.