
By: Delegates Rosenberg, Barve, Frank, Kopp, Dembrow, Turner, Getty, T. Murphy, Petzold, and D. Davis

Introduced and read first time: January 31, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Electronic Mail Misuse - Penalties**

3 FOR the purpose of amending provisions of law relating to misuse of telephones to
4 provide that the prohibitions are also applicable to electronic mail and other similar
5 electronic communications; making stylistic changes; and generally relating to
6 misuse of electronic mail or other electronic communications.

7 BY repealing and reenacting, with amendments,
8 Article 27 - Crimes and Punishments
9 Section 555A to be under the amended subheading "Telephone and Electronic
10 Mail Misuse"
11 Annotated Code of Maryland
12 (1996 Replacement Volume)

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

15 **Article 27 - Crimes and Punishments**

16 Telephone AND ELECTRONIC MAIL Misuse

17 555A.

18 (A) It is unlawful for any person to [make use of] USE telephone facilities or
19 equipment, OR ELECTRONIC MAIL OR SIMILAR ELECTRONIC COMMUNICATION [(1)
20 for]:

21 (1) FOR an anonymous call or calls if in a manner reasonably to be expected
22 to annoy, abuse, torment, harass, or embarrass one or more persons; [(2) for]

23 (2) FOR repeated calls, if with intent to annoy, abuse, torment, harass, or
24 embarrass one or more persons; or [(3) for]

25 (3) FOR any comment, request, suggestion or proposal which is obscene,
26 lewd, lascivious, filthy, or indecent.

27 (B) Any person violating any one of the provisions of this section is guilty of a
28 misdemeanor, and upon conviction thereof, shall be subject to a fine of not more than

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1 [\$500.00] \$500 or to imprisonment for not more than [three (3)] 3 years, or both, in the
2 discretion of the court.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 1997.