
By: Senators Green, Trotter, Lawlah, Ruben, Forehand, Dorman, Amoss, Currie, Craig, Frosh, Munson, Pinsky, Teitelbaum, McFadden, Sfikas, and Conway

Introduced and read first time: January 15, 1997

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 5, 1997

CHAPTER ____

1 AN ACT concerning

2 **Crimes - Threats Against State and Local Officials**

3 FOR the purpose of prohibiting threats against certain local officials; and generally

4 relating to threats against State and local officials.

5 BY repealing and reenacting, with amendments,

6 Article 27 - Crimes and Punishments

7 Section 561A

8 Annotated Code of Maryland

9 (1996 Replacement Volume)

10 BY repealing and reenacting, without amendments,

11 Article - State Government

12 Section 10-101(d) and 15-102(kk)

13 Annotated Code of Maryland

14 (1995 Replacement Volume and 1996 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article 27 - Crimes and Punishments**

18 561A.

19 (a) (1) In this section the following words have the meanings indicated.

2

1 (2) (I) "LOCAL OFFICIAL" MEANS AN ELECTED OFFICER OF A LOCAL
2 GOVERNMENT UNIT, AS DEFINED IN § 10-101(D) OF THE STATE GOVERNMENT
3 ARTICLE.

4 (II) "LOCAL OFFICIAL" INCLUDES AN ELECTED OFFICIAL OF AN
5 OFFICE, BOARD OR DEPARTMENT THAT IS ESTABLISHED IN A COUNTY UNDER
6 STATE LAW OR PUBLIC LOCAL LAW.

7 [(2)] (3) (i) "State official" means a State official as defined in § 15-102
8 of the State Government Article.

9 (ii) "State official" includes the Governor, Governor-elect, Lieutenant
10 Governor, and Lieutenant Governor-elect.

11 [(3)] (4) "Threat" includes:

12 (i) A verbal threat; or

13 (ii) A threat in any written form, whether or not the writing is signed,
14 or if it is signed whether or not the writing is signed with a fictitious name or any other
15 mark.

16 (b) A person may not knowingly and willfully make a threat to take the life of,
17 kidnap, or inflict bodily harm upon a State OR LOCAL official.

18 (c) A person may not knowingly send, deliver, part with the possession of, or
19 make for the purpose of sending or delivering a threat prohibited under subsection (b) of
20 this section.

21 (d) A person who violates any provision of this section is guilty of a misdemeanor
22 and upon conviction is subject to imprisonment not exceeding 3 years or a fine not
23 exceeding \$2,500 or both.

24 **Article - State Government**

25 10-101.

26 (d) "Local government unit" means:

27 (1) a county;

28 (2) a municipal corporation;

29 (3) a special district that is established by State law and that operates within
30 a single county;

31 (4) a special district that is established by a county pursuant to public
32 general law; or

33 (5) an office, board, or department that is established in each county under
34 State law and that is funded, pursuant to State law, at least in part by the county
35 governing body.

3

1 15-102.

2 (kk) "State official" means:

3 (1) a constitutional officer or officer-elect in an executive unit;

4 (2) a member or member-elect of the General Assembly;

5 (3) a judge or judge-elect of a court under Article IV, § 1 of the
6 Constitution;

7 (4) a judicial appointee as defined in Maryland Rule 1232;

8 (5) a State's Attorney;

9 (6) a clerk of the circuit court;

10 (7) a register of wills; or

11 (8) a sheriff.

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