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By: **Senators Hogan and Teitelbaum**
Introduced and read first time: January 29, 1998
Assigned to: Judicial Proceedings

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Committee Report: Favorable
Senate action: Adopted
Read second time: March 17, 1998

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CHAPTER_____

1 AN ACT concerning

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

3 FOR the purpose of prohibiting a person from using electronic mail in a certain
4   manner and with a certain intent; providing certain penalties; defining a certain
5   term; and generally relating to the misuse of electronic mail.

6 BY adding to
7   Article 27 - Crimes and Punishments
8   Section 555C to be under the amended subheading "Telephone and Electronic
9   Mail Misuse"
10   Annotated Code of Maryland
11   (1996 Replacement Volume and 1997 Supplement)

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

14   **Article 27 - Crimes and Punishments**

15   Telephone AND ELECTRONIC MAIL Misuse

16 555C.

17   (A)   IN THIS SECTION, "ELECTRONIC MAIL" MEANS A COMMUNICATION OR
18 MESSAGE SENT TO A SPECIFIC PERSON OR PERSONS THROUGH THE USE OF A
19 COMPUTER AND INTENDED TO BE RECEIVED BY A COMPUTER.

20   (B)   A PERSON MAY NOT USE ELECTRONIC MAIL:

1   (1)   FOR AN ANONYMOUS COMMUNICATION IF IN A MANNER
2 REASONABLY TO BE EXPECTED TO ANNOY, ABUSE, TORMENT, HARASS, OR
3 EMBARRASS ONE OR MORE PERSONS;

4   (2)   FOR REPEATED COMMUNICATIONS, IF WITH INTENT TO ANNOY,
5 ABUSE, TORMENT, HARASS, OR EMBARRASS ONE OR MORE PERSONS; OR

6   (3)   FOR ANY COMMENT, REQUEST, SUGGESTION, OR PROPOSAL WHICH
7 IS OBSCENE, LEWD, LASCIVIOUS, FILTHY, OR INDECENT, IF WITH INTENT TO ANNOY,
8 ABUSE, TORMENT, HARASS, OR EMBARRASS ONE OR MORE PERSONS.

9   (C)   A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
10 AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN $500 OR TO
11 IMPRISONMENT FOR NOT MORE THAN 3 YEARS OR BOTH.

12   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 1998.