
By: **Delegates Rosenberg, Valderrama, and Menes**
Introduced and read first time: February 12, 1999
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Offenses Against Medical Facility Visitors**

3 FOR the purpose of making it a misdemeanor under certain conditions to follow or
4 maliciously engage in a course of conduct that alarms or harasses an individual
5 who enters or exits a medical facility; making it a misdemeanor to commit a
6 certain crime after observing an individual enter or exit a medical facility;
7 providing certain penalties for a violation of this Act; defining a certain term;
8 and generally relating to offenses against individuals who enter or exit a
9 medical facility.

10 BY repealing and reenacting, with amendments,
11 Article 27 - Crimes and Punishments
12 Section 577B
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1998 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 577B.

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

20 (2) "Action" does not include speech.

21 (3) "COURSE OF CONDUCT" MEANS A PERSISTENT PATTERN OF
22 CONDUCT, COMPOSED OF A SERIES OF ACTS OVER A PERIOD OF TIME, THAT
23 EVIDENCES A CONTINUITY OF PURPOSE.

24 (4) (i) "Medical facility" means:

25 1. A facility as defined under § 10-101(e) of the Health -
26 General Article; or

1 2. A health care facility as defined under § 19-101(f) of the
2 Health - General Article.

3 (ii) "Medical facility" includes an agency, clinic, or office operated
4 under the direction of the local health officer or the regulatory authority of the
5 Department of Health and Mental Hygiene.

6 [(4)] (5) "Person" does not include:

7 (i) The chief executive officer of the medical facility;

8 (ii) A designee of the chief executive officer of the medical facility;

9 (iii) An agent of the medical facility; or

10 (iv) A law enforcement officer.

11 (b) A person may not act alone, or in concert with others, and with the intent
12 to prevent an individual from entering or exiting a medical facility by physically:

13 (1) Detaining the individual; or

14 (2) Obstructing, impeding, or hindering the individual's passage.

15 [(c)] (3) This [section] SUBSECTION may not be interpreted to prohibit any
16 picketing assembly in connection with a labor dispute as defined in § 4-301 of the
17 Labor and Employment Article.

18 (C) A PERSON MAY NOT PHYSICALLY FOLLOW OR MALICIOUSLY ENGAGE IN A
19 COURSE OF CONDUCT THAT ALARMS OR HARASSES AN INDIVIDUAL WHO ENTERS OR
20 EXITS A MEDICAL FACILITY:

21 (1) WITH INTENT TO HARASS OR ALARM THE INDIVIDUAL; AND

22 (2) AFTER A REASONABLE WARNING OR REQUEST TO DESIST BY OR ON
23 BEHALF OF THE THE INDIVIDUAL.

24 (D) A PERSON MAY NOT COMMIT A CRIME AGAINST AN INDIVIDUAL OR
25 DAMAGE AN INDIVIDUAL'S PROPERTY AFTER OBSERVING THE INDIVIDUAL ENTER
26 OR EXIT A MEDICAL FACILITY.

27 [(d)] (E) A person who violates this section is guilty of a misdemeanor and on
28 conviction is subject to a fine of not more than \$1,000 or imprisonment for not more
29 than 90 days or both.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 1999.