

SENATE BILL 218

Unofficial Copy  
F1  
SB 10/99 - JPR

2000 Regular Session  
0lr0826

---

By: ~~Senator Green~~ **Senators Green, Munson, and Forehand**

Introduced and read first time: January 25, 2000

Assigned to: Judicial Proceedings

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 21, 2000

---

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Crimes - Threats Against Local Officials and Law Enforcement Officers**

3 FOR the purpose of altering a provision that prohibits threats against certain local  
4 officials; expanding the definition of "local official" to include certain appointed  
5 officials; prohibiting a person from knowingly and willfully making certain  
6 threats against a law enforcement officer; providing that certain prohibitions  
7 against making a certain threat against a certain appointed official apply only  
8 to certain threats made during the performance of certain official duties under  
9 certain circumstances; defining certain terms; and generally relating to threats  
10 against certain officials and law enforcement officers.

11 BY repealing and reenacting, with amendments,  
12 Article 27 - Crimes and Punishments  
13 Section 561A  
14 Annotated Code of Maryland  
15 (1996 Replacement Volume and 1999 Supplement)

16 BY repealing and reenacting, without amendments,  
17 Article - State Government  
18 Section 10-101(d)  
19 Annotated Code of Maryland  
20 (1999 Replacement Volume)

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

1

**Article 27 - Crimes and Punishments**

2 561A.

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

4 (2) (I) "APPOINTED OFFICIAL" MEANS AN INDIVIDUAL SELECTED OR  
5 DESIGNATED BY THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION  
6 OR IN ACCORDANCE WITH THE PROVISIONS FOR APPOINTMENTS IN THE COUNTY OR  
7 MUNICIPAL CORPORATION.8 (II) "APPOINTED OFFICIAL" INCLUDES A COUNTY OR MUNICIPAL  
9 CODE ENFORCEMENT OFFICER OR CODE COMPLIANCE OFFICER.10 (3) "LAW ENFORCEMENT OFFICER" MEANS A LAW ENFORCEMENT  
11 OFFICER OF A COUNTY OR MUNICIPAL CORPORATION WHO, IN AN OFFICIAL  
12 CAPACITY, IS AUTHORIZED BY LAW TO MAKE ARRESTS.13 [(2)] (4) "Local official" means an individual serving [in a] AS AN  
14 APPOINTED OFFICIAL, OR IN A publicly elected office of a local government unit, as  
15 defined in § 10-101(d) of the State Government Article.16 [(3)] (5) (i) "State official" means a State official as defined in §  
17 15-102 of the State Government Article.18 (ii) "State official" includes the Governor, Governor-elect,  
19 Lieutenant Governor, and Lieutenant Governor-elect.

20 [(4)] (6) "Threat" includes:

21 (i) A verbal threat; or

22 (ii) A threat in any written form, whether or not the writing is  
23 signed, or if it is signed whether or not the writing is signed with a fictitious name or  
24 any other mark.25 (b) (1) [A] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A person may  
26 not knowingly and willfully make a threat to take the life of, kidnap, or inflict bodily  
27 harm upon a State or local official OR A LAW ENFORCEMENT OFFICER.28 (2) FOR AN APPOINTED OFFICIAL, THE PROVISIONS OF PARAGRAPH (1)  
29 OF THIS SUBSECTION APPLY ONLY TO A THREAT MADE DURING THE PERFORMANCE  
30 OF THE OFFICIAL DUTIES OF THE APPOINTED OFFICIAL.31 (c) A person may not knowingly send, deliver, part with the possession of, or  
32 make for the purpose of sending or delivering a threat prohibited under subsection (b)  
33 of this section.34 (d) A person who violates any provision of this section is guilty of a  
35 misdemeanor and upon conviction is subject to imprisonment not exceeding 3 years or  
36 a fine not exceeding \$2,500 or both.

1

**Article - State Government**

2 10-101.

3 (d) "Local government unit" means:

4 (1) a county;

5 (2) a municipal corporation;

6 (3) a special district that is established by State law and that operates  
7 within a single county;8 (4) a special district that is established by a county pursuant to public  
9 general law; or10 (5) an office, board, or department that is established in each county  
11 under State law and that is funded, pursuant to State law, at least in part by the  
12 county governing body.13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2000.