

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 875 (Delegate Rosenberg, *et al.*)
(Administration)

Judiciary

Crimes - Gender and Sexual Orientation Crimes - Prohibitions

This Administration bill prohibits a person from harassing, committing a crime against, or damaging or defacing the property of another person because of that person's gender or sexual orientation. The bill also prohibits a person from harassing, committing a crime against, or damaging or defacing the property of an institution because of that institution's contacts or association with a person or group of a particular gender or sexual orientation.

If the violation involves a separate crime that is a felony, the violator is guilty of a felony and subject to a maximum term of imprisonment for ten years or a maximum fine of \$10,000 or both. If the violation involves a separate crime that is a felony and results in death to a victim, the violator is guilty of a felony and subject to a maximum term of imprisonment of 20 years or a maximum fine of \$20,000 or both. In all other cases, a violator is guilty of a misdemeanor and subject to a maximum term of imprisonment of three years or a maximum fine of \$5,000 or both.

Fiscal Summary

State Effect: It is expected that any additional prosecutions resulting from the bill could be handled by the law enforcement, court, prison, and probation systems using existing budgeted resources.

Local Effect: It is expected that any additional prosecutions resulting from the bill could be handled by the law enforcement, court, prison, and probation systems using existing budgeted resources.

Small Business Effect: A small business impact statement was not provided by the Administration in time for inclusion in this fiscal note. A revised fiscal note will be issued

when the Administration's assessment becomes available.

Analysis

Current Law: A person may not harass, commit a crime against, or damage or deface the property of another person because of that person's race, color, religious beliefs, or national origin. Additionally, a person may not harass, commit a crime against, or damage or deface the property of an institution because of that institution's contacts or association with a person or group of a particular race, color, religious beliefs, or national origin.

The bill does not alter current penalties for this group of crimes.

Additional Information

Prior Introductions: This bill was introduced during the 1999 session as HB 969, which passed the House with amendments, but was not reported from the Senate Judicial Proceedings Committee. The companion bill, SB 139, was not reported from the Senate Judicial Proceedings Committee.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Office of the Public Defender, Maryland State's Attorneys' Association, Department of Legislative Services

Fiscal Note History: First Reader - March 13, 2000
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