

Department of Legislative Services  
Maryland General Assembly  
2001 Session

FISCAL NOTE

House Bill 612	Delegates Doory and Getty (Com to Rvs Art 27) (Committee to Revise Article 27 – Crimes and Punishment)
Judiciary	Judicial Proceedings

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**Crimes - Sabotage and Related Crimes - Revision**

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This bill revises and restates the laws relating to sabotage; hindering, delaying, or interfering with defense-related activities; use of identification material; trespassing; and restricted use of highways under certain circumstances. The bill also repeals specified provisions relating to attempt and conspiracy to commit sabotage-related offenses.

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**Fiscal Summary**

**State Effect:** The bill’s changes to existing penalty provisions (including the repeal of one year mandatory minimum sentences for certain offenses), and to standards of guilt for certain offenses, are not expected to significantly affect the operations or finances of the Division of Correction or the Judiciary.

**Local Effect:** None. It is assumed that the bill’s changes would not measurably affect the operations or finances of the circuit courts or the Offices of State’s Attorneys.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Under Article 27, §§ 535 through 550 (*Sabotage Prevention*), there are various prohibitions, with penalties, against sabotage and other related offenses.

**Background:** The Article 27 Committee was appointed in 1991 by the Speaker and the President and charged with making both substantive and stylistic changes to the State’s

criminal law. The committee is composed of legislators, judges, lawyers representing both defendants and the State, and a victims' rights representative. In past sessions the committee has successfully sponsored legislation to revise the laws on accessory before the fact, arson, assault, burglary, destructive devices, disorderly conduct, escape, Medicaid fraud, robbery, trespass, and victims' rights.

The Criminal Law Code Revision Committee recommended that the Article 27 Committee examine the sabotage laws. The Criminal Law Code Revision Committee is currently engaged in the nonsubstantive revision of the State's criminal laws. In revising the current laws, the Criminal Law Code Revision Committee questioned the need for the various sabotage offenses, given duplicative and possibly preemptively similar provisions in federal law. During the 2000 interim, the Article 27 Committee considered this matter. The committee recommended that various provisions of the sabotage laws were more appropriately addressed in other areas of existing law (for example, trespassing on posted property, warrantless arrests, and emergency highway restrictions). The committee also recommended leaving the issue as to the relevance or necessity of keeping the sabotage provisions in State statute to the General Assembly. This bill is the result of the committee's deliberations on the issue.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 619 (Senators Hughes and Stone) – Judicial Proceedings.

**Information Source(s):** Department of Public Safety and Correctional Services (Division of Correction), Office of the State's Attorneys' Coordinator, Department of Legislative Services

**Fiscal Note History:** First Reader – February 20, 2001  
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