

HOUSE BILL 451

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HB 1290/01 - JUD

2002 Regular Session  
2lr0941

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By: **Delegates Sophocleus, Wood, Howard, Pitkin, Healey, D'Amato, Rosso, Greenip, Grosfeld, Moe, Cadden, Love, Hutchins, Petzold, Kagan, Leopold, Rzepkowski, Boschert, Mandel, Hubers, Kach, McHale, DeCarlo, Fulton, Rosenberg, McIntosh, Paige, Dypski, Kelly, Stocksdales, Boutin, McClenahan, Glassman, Riley, Conway, Heller, Cane, W. Baker, Crouse, Walkup, Marriott, Eckardt, Swain, Burns, Benson, Parrott, Patterson, Mohorovic, Krysiak, Harrison, and Kirk**

Introduced and read first time: January 30, 2002  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Religious and Ethnic Animosity - Defacing Statues, Monuments,**  
3 **and Memorials**

4 FOR the purpose of prohibiting a person from committing certain acts against certain  
5 statues, monuments, or memorials under certain circumstances; and generally  
6 relating to religious and ethnic crimes.

7 BY repealing and reenacting, with amendments,  
8 Article - Criminal Law  
9 Section 10-304  
10 Annotated Code of Maryland  
11 (As enacted by Chapter \_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
12 2002)

13 BY repealing and reenacting, without amendments,  
14 Article - Criminal Law  
15 Section 10-305 and 10-306  
16 Annotated Code of Maryland  
17 (As enacted by Chapter \_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
18 2002)

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

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**Article - Criminal Law**

2 10-304.

3 A person may not deface, damage, or destroy, attempt to deface, damage, or  
4 destroy, burn or attempt to burn an object on, or damage the real or personal property  
5 connected to a building, STATUE, MONUMENT, OR MEMORIAL that is publicly or  
6 privately owned, leased, or used, including a cemetery, library, meeting hall,  
7 recreation center, or school:

8 (1) because a person or group of a particular race, color, religious belief,  
9 or national origin has contacts or is associated with the building, STATUE,  
10 MONUMENT, OR MEMORIAL; or

11 (2) if there is evidence that exhibits animosity against a person or group,  
12 because of the race, color, religious beliefs, or national origin of that person or group.  
13 10-305.

14 A person who violates this subtitle is subject to the following penalties:

15 (1) if the violation involves a separate crime that is a felony, the person is  
16 guilty of a felony and on conviction is subject:

17 (i) to imprisonment not exceeding 10 years or a fine not exceeding  
18 \$10,000 or both; or

19 (ii) if the violation also results in death to a victim, to  
20 imprisonment not exceeding 20 years or a fine not exceeding \$20,000 or both; and

21 (2) in all other cases, the person is guilty of a misdemeanor and on  
22 conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding  
23 \$5,000 or both.

24 10-306.

25 Prosecution of a person under this subtitle does not preclude prosecution and  
26 imposition of penalties for another crime in addition to the penalties imposed under  
27 this subtitle.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2002.