

HOUSE BILL 451

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HB 1290/01 - JUD

2002 Regular Session
2lr0941

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, Stocksdale, 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

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 26, 2002

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of prohibiting a person from committing certain acts against certain
5 buildings, statues, monuments, or memorials for purposes relating to the
6 property's connections with persons or groups of a particular race, color,
7 religious belief, or national origin under certain circumstances; and generally
8 relating to religious and ethnic crimes.

9 BY repealing and reenacting, with amendments,
10 Article - Criminal Law
11 Section 10-304
12 Annotated Code of Maryland
13 (As enacted by Chapter ____ (H.B. 11) of the Acts of the General Assembly of
14 2002)

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

1 2002)

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

4 **Article - Criminal Law**

5 10-304.

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

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

14 (2) if there is evidence that exhibits animosity against a person or group,
15 because of the race, color, religious beliefs, or national origin of that person or group.
16 10-305.

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

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

20 (i) to imprisonment not exceeding 10 years or a fine not exceeding
21 \$10,000 or both; or

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

24 (2) in all other cases, the person is guilty of a misdemeanor and on
25 conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding
26 \$5,000 or both.

27 10-306.

28 Prosecution of a person under this subtitle does not preclude prosecution and
29 imposition of penalties for another crime in addition to the penalties imposed under
30 this subtitle.

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

