

SENATE BILL 76
EMERGENCY BILL

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2002 Regular Session
2lr0911

(PRE-FILED)

By: **Senator Forehand**

Requested: November 15, 2001

Introduced and read first time: January 9, 2002

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Making a Terroristic Threat**

3 FOR the purpose of prohibiting a person, with an intent to intimidate or coerce
4 certain individuals or, through certain means, to influence the policy or affect
5 the conduct of a unit of government, from threatening to commit a felony or
6 crime of violence that causes a reasonable expectation or fear of the imminent
7 commission of the felony or crime of violence; providing that it is not a defense to
8 a certain charge that a defendant did not have the intent or ability to commit
9 the felony or crime of violence; defining a certain term; establishing certain
10 penalties; making this Act an emergency measure; and generally relating to
11 making a threat to commit a felony or crime of violence with certain intent.

12 BY renumbering

13 Article - Criminal Law

14 Section 9-506 and 9-507, respectively

15 to be Section 9-507 and 9-508, respectively

16 Annotated Code of Maryland

17 (As enacted by Chapter _____ (H.B. 11) of the Acts of the General Assembly of

18 2002)

19 BY adding to

20 Article - Criminal Law

21 Section 9-506

22 Annotated Code of Maryland

23 (As enacted by Chapter _____ (H.B. 11) of the Acts of the General Assembly of

24 2002)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

26 MARYLAND, That Section(s) 9-506 and 9-507, respectively, of Article - Criminal

27 Law of the Annotated Code of Maryland be renumbered to be Section(s) 9-507 and

28 9-508, respectively.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
2 read as follows:

3 **Article - Criminal Law**

4 9-506.

5 (A) IN THIS SECTION, "CRIME OF VIOLENCE" HAS THE MEANING STATED IN §
6 14-101 OF THIS ARTICLE.

7 (B) IF THE THREAT CREATES A REASONABLE EXPECTATION OR FEAR OF THE
8 IMMINENT COMMISSION OF THE OFFENSE, A PERSON MAY NOT THREATEN TO
9 COMMIT A FELONY OR CRIME OF VIOLENCE WITH INTENT TO:

10 (1) INTIMIDATE OR COERCE A CIVILIAN POPULATION;

11 (2) INFLUENCE THE ACTIVITIES OF A UNIT OF GOVERNMENT THROUGH
12 INTIMIDATION OR COERCION; OR

13 (3) INFLUENCE THE ACTIVITIES OF A UNIT OF GOVERNMENT THROUGH
14 MURDER OF ANY DEGREE OR KIDNAPPING.

15 (C) IT IS NOT A DEFENSE TO A CHARGE UNDER THIS SECTION THAT THE
16 DEFENDANT DID NOT HAVE THE INTENT OR ABILITY TO COMMIT THE FELONY OR
17 CRIME OF VIOLENCE.

18 (D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON
19 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE
20 NOT EXCEEDING \$10,000 OR BOTH.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an
22 emergency measure, is necessary for the immediate preservation of the public health
23 or safety, has been passed by a ye and nay vote supported by three-fifths of all the
24 members elected to each of the two Houses of the General Assembly, and shall take
25 effect from the date it is enacted.