

SENATE BILL 353

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2004 Regular Session
4r1138
CF 4r1890

By: **Senators Stone and Giannetti (Committee to Revise Article 27 - Crimes and Punishments)**

Introduced and read first time: February 4, 2004
Assigned to: Judicial Proceedings

Committee Report: Favorable
Senate action: Adopted
Read second time: March 17, 2004

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law - Extortion - Damages and Penalties**

3 FOR the purpose of prohibiting a person, with the intent to unlawfully extort money,
4 property, or anything of value, from falsely accusing, verbally threatening to
5 accuse, or knowingly sending a writing threatening to accuse another of a crime
6 or of anything that, if true, would tend to bring the other into contempt or
7 disrepute, or from verbally threatening or knowingly sending a writing
8 threatening to cause physical injury or economic damage to a person, inflict
9 emotional distress on a person, or cause damage to the property of a person;
10 increasing certain penalties; and generally relating to crimes of extortion.

11 BY repealing and reenacting, with amendments,
12 Article - Criminal Law
13 Section 3-704 through 3-706
14 Annotated Code of Maryland
15 (2002 Volume and 2003 Supplement)

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

18 **Article - Criminal Law**

19 3-704.

20 (a) A person, with the intent to UNLAWFULLY extort money [or procure other
21 profit], PROPERTY, OR ANYTHING OF VALUE FROM ANOTHER, may not falsely accuse

1 or threaten to FALSELY accuse another of a crime or of anything that, if the
2 accusation were true, would tend to bring the other into contempt or disrepute.

3 (b) A person who violates this section is guilty of a misdemeanor and on
4 conviction is subject to imprisonment not exceeding [2] 10 years OR A FINE NOT
5 EXCEEDING \$10,000 OR BOTH.

6 3-705.

7 (a) A person, with the intent to UNLAWFULLY extort [or gain] money,
8 property, or anything of value from another, may not verbally threaten to:

9 (1) accuse any person of a crime [that may be charged by indictment
10 under the laws of the State] or of anything that, if true, would bring the person into
11 contempt or disrepute; or

12 (2) (I) [injure the person or property of anyone] CAUSE PHYSICAL
13 INJURY TO A PERSON;

14 (II) INFLICT EMOTIONAL DISTRESS ON A PERSON;

15 (III) CAUSE ECONOMIC DAMAGE TO A PERSON; OR

16 (IV) CAUSE DAMAGE TO THE PROPERTY OF A PERSON.

17 (b) A person who violates this section is guilty of a felony and on conviction
18 [shall be sentenced] IS SUBJECT to imprisonment [for not less than 2 years and] not
19 exceeding 10 years OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

20 3-706.

21 (a) (1) This section applies to any writing, whether or not the writing is
22 signed, or if the writing is signed, whether or not it is signed with a fictitious name or
23 any other mark or designation.

24 (2) This section does not apply to a good faith reasonable notice of
25 dishonor and warning of criminal prosecution under Title 8, Subtitle 1 of this article
26 given by a holder of an instrument to the maker of the instrument.

27 (b) A person, with the intent to UNLAWFULLY extort [or gain] money,
28 property, or anything of value from another, may not knowingly send or deliver, or
29 make for the purpose of being sent or delivered and part with the possession of, a
30 writing threatening to:

31 (1) accuse any person of a crime [that may be charged by indictment
32 under the laws of the State] or of anything that, if true, would bring the person into
33 contempt or disrepute; or

34 (2) (I) [injure the person or property of anyone] CAUSE PHYSICAL
35 INJURY TO A PERSON;

- 1 (II) INFLICT EMOTIONAL DISTRESS ON A PERSON;
2 (III) CAUSE ECONOMIC DAMAGE TO A PERSON; OR
3 (IV) CAUSE DAMAGE TO THE PROPERTY OF A PERSON.

4 (c) A person who violates this section is guilty of a felony and on conviction is
5 subject to imprisonment [for not less than 2 years and] not exceeding 10 years OR A
6 FINE NOT EXCEEDING \$10,000 OR BOTH.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect October 1, 2004.