

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 354 (Senators Stone and Giannetti)
(Committee to Revise Article 27 – Crimes and Punishments)
Judicial Proceedings

Criminal Law - Disrupting or Interfering with a Commercial Athletic Contest

This bill changes provisions prohibiting interference with a “commercial athletic contest.” It broadens the definition of commercial athletic contest by repealing limiting language and specifies that a person may not *attempt* to disrupt or interfere with such a contest by throwing an object, as opposed to disrupting or interfering with such a contest by throwing an object on the playing field or seating area. The bill also clarifies the applicable incarceration penalty by substituting 90 days for three months.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the expanded definition of the crime.

Local Effect: Potential minimal increase in expenditures if additional defendants are sentenced to local detention facilities.

Small Business Effect: None.

Analysis

Current Law: Under Criminal Law Article provisions relating to crimes against public health and safety, a person is prohibited from disrupting or interfering with a “commercial athletic contest” by throwing or projecting an “object” on the playing field or seating area. A “commercial athletic contest” means an athletic or sporting event held in a public arena, field, hall, or stadium for admission to which the general public must

pay an admission charge. “Object” means an item that may cause injury to a participant in or observer of the commercial athletic contest. A violator is guilty of a misdemeanor and subject to maximum penalties of a fine of \$250 and/or imprisonment for three months.

Background: In recent years there have been an increasing number of incidents in which objects thrown during commercial sporting events have resulted in injuries.

The New Issues Subcommittee of the Committee to Revise Article 27 has noted that the reference in the current law to “playing field or seating area” may not include many areas that may need to be secured from disruption and interference in the course of a commercial athletic contest. The bill does not limit its coverage to specific locations. The committee suggested that the General Assembly may wish to explore the areas that may need to be included in order to secure a commercial athletic contest from interference.

The Committee to Revise Article 27 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 and after the fact, arson, assault, benefit of clergy, burglary, destructive devices, disorderly conduct, escape, leased or rented goods, Medicaid fraud, offensive contact, prostitution, robbery, sabotage, trespass, and victims’ rights.

State Revenues: General fund revenues could increase minimally as a result of additional cases being heard in the District Court. The number of people convicted of this proposed crime is expected to be minimal.

Local Expenditures: Expenditures could increase minimally as a result of additional incarceration. Counties pay the full cost of incarceration for the first 90 days of the sentence. Per diem operating costs of local detention facilities are expected to range from \$29 to \$97 per inmate in fiscal 2005.

Additional Information

Prior Introductions: None.

Cross File: HB 633 (Delegates Brown and Doory) (Committee to Revise Article 27 – Crimes and Punishment) – Judiciary.

Information Source(s): Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - February 25, 2004
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