
By: **Delegates Sophocleus and Vallario**
Introduced and read first time: February 10, 2005
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Threat Against Assistant State's Attorney**

3 FOR the purpose of making it a misdemeanor to knowingly and willfully make a
4 threat to take the life of, kidnap, or cause physical injury to an assistant State's
5 Attorney; imposing certain penalties; and generally relating to the making of
6 threats against assistant State's Attorneys.

7 BY repealing and reenacting, with amendments,
8 Article - Criminal Law
9 Section 3-708
10 Annotated Code of Maryland
11 (2002 Volume and 2004 Supplement)

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

14 **Article - Criminal Law**

15 3-708.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) "Local official" means an individual serving in a publicly elected
18 office of a local government unit, as defined in § 10-101 of the State Government
19 Article.

20 (3) (i) "State official" has the meaning stated in § 15-102 of the State
21 Government Article.

22 (ii) "State official" includes the Governor, Governor-elect,
23 Lieutenant Governor, and Lieutenant Governor-elect.

24 (4) "Threat" includes:

25 (i) an oral threat; or

1 (ii) a threat in any written form, whether or not the writing is
2 signed, or if the writing is signed, whether or not it is signed with a fictitious name or
3 any other mark.

4 (b) A person may not knowingly and willfully make a threat to take the life of,
5 kidnap, or cause physical injury to a State official [or], A local official, OR AN
6 ASSISTANT STATE'S ATTORNEY.

7 (c) A person may not knowingly send, deliver, part with, or make for the
8 purpose of sending or delivering a threat prohibited under subsection (b) of this
9 section.

10 (d) A person who violates this section is guilty of a misdemeanor and on
11 conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding
12 \$2,500 or both.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2005.