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

Committee Report: Favorable with amendments
 House action: Adopted
 Read second time: March 24, 2005

CHAPTER_____

1 AN ACT concerning

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

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

9 BY repealing and reenacting, with amendments,
 10 Article - Criminal Law
 11 Section 3-708
 12 Annotated Code of Maryland
 13 (2002 Volume and 2004 Supplement)

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

16 **Article - Criminal Law**

17 3-708.

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

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

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

3 (ii) "State official" includes the Governor, Governor-elect,
4 Lieutenant Governor, and Lieutenant Governor-elect.

5 (4) "Threat" includes:

6 (i) an oral threat; or

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

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

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

16 (d) A person who violates this section is guilty of a misdemeanor and on
17 conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding
18 \$2,500 or both.

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