

(PRE-FILED)

By: **Senator Forehand**
Requested: August 10, 2004
Introduced and read first time: January 12, 2005
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - "AMBER" Alert - False Report - Prohibited**

3 FOR the purpose of establishing the crime of knowingly making a false report with
4 the intent to deceive a certain law enforcement official and cause the activation
5 of an AMBER Alert; providing certain penalties; defining a term; and generally
6 relating to the crime of knowingly making a false report that causes the
7 activation of an AMBER Alert.

8 BY adding to
9 Article - Criminal Law
10 Section 9-501.1
11 Annotated Code of Maryland
12 (2002 Volume and 2004 Supplement)

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

15 **Article - Criminal Law**

16 9-501.1.

17 (A) IN THIS SECTION, "AMBER ALERT" MEANS THE MARYLAND CHILD AMBER
18 ALERT PLAN BY WHICH THE STATE POLICE ALERT THE BROADCAST MEDIA AND
19 STATE DEPARTMENTS THAT:

20 (1) A CHILD HAS BEEN ABDUCTED AND IS IN SERIOUS DANGER OF
21 BODILY HARM OR DEATH;

22 (2) DESCRIPTIVE INFORMATION IS AVAILABLE ABOUT THE CHILD AND
23 ALLEGED ABDUCTOR; AND

24 (3) THE CHILD AND ALLEGED ABDUCTOR ARE SUSPECTED OF BEING IN
25 THE BROADCAST AREA.

1 (B) A PERSON MAY NOT MAKE, OR CAUSE TO BE MADE, A STATEMENT,
2 REPORT, OR COMPLAINT THAT THE PERSON KNOWS TO BE FALSE AS A WHOLE OR IN
3 MATERIAL PART, TO A LAW ENFORCEMENT OFFICER OF THE STATE, OF A COUNTY,
4 MUNICIPAL CORPORATION, OR OTHER POLITICAL SUBDIVISION OF THE STATE, OR OF
5 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING POLICE WITH THE
6 INTENT TO DECEIVE AND TO CAUSE AN AMBER ALERT TO BE ACTIVATED AS A
7 RESULT OF THE STATEMENT, REPORT, OR COMPLAINT.

8 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
9 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 1 YEAR OR A
10 FINE NOT EXCEEDING \$2,000 OR BOTH.

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