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

Introduced and read first time: February 2, 2005

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Extortion by Government Officer or Employee - Penalties**  
3 **and Persons Subject to Offense**

4 FOR the purpose of expanding the category of officers or employees who are subject to  
5 certain provisions relating to extortion; altering certain penalties for extortion;  
6 expanding the category of employment from which a person convicted of  
7 extortion is barred; defining a certain term; and generally relating to extortion  
8 by a government officer or employee.

9 BY repealing and reenacting, with amendments,  
10 Article - Criminal Law  
11 Section 3-702  
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 3-702.

18 (a) IN THIS SECTION, "POLITICAL SUBDIVISION" INCLUDES A:

- 19 (1) COUNTY;
- 20 (2) MUNICIPAL CORPORATION;
- 21 (3) BICOUNTY OR MULTICOUNTY AGENCY;
- 22 (4) COUNTY BOARD OF EDUCATION;
- 23 (5) PUBLIC AUTHORITY; OR
- 24 (6) SPECIAL TAXING DISTRICT.

1 (B) An officer or employee of the State or of a [county, municipal corporation,  
2 bicounty agency, or multicounty agency] POLITICAL SUBDIVISION may not wrongfully  
3 obtain or attempt to obtain money, property, or anything of value from a person with  
4 the person's consent, if the consent is obtained under color or pretense of office, under  
5 color of official right, or by wrongful use of actual or threatened force or violence.

6 [(b)] (C) If the value of the property is \$500 or more, a person who violates this  
7 section:

8 (1) is guilty of the felony of extortion and on conviction is subject to  
9 imprisonment not exceeding [10] 15 years or a fine not exceeding [\$5,000] \$25,000 or  
10 both; and

11 (2) notwithstanding any pardon, shall be barred permanently from  
12 employment by the State or by a [county, municipal corporation, bicounty agency, or  
13 multicounty agency] POLITICAL SUBDIVISION.

14 [(c)] (D) If the value of the property is less than \$500, a person who violates  
15 this section is guilty of the misdemeanor of extortion and on conviction is subject to  
16 imprisonment not exceeding [6]18 months or a fine not exceeding \$500 or both.

17 [(d)] (E) A prosecution for a felony under this section shall be instituted  
18 within 5 years after the crime was committed.

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