E1   6lr1207

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By: **Delegates Cryor and Dumais**
Introduced and read first time: February 10, 2006
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Prohibition on Prerecorded Emergency Messages -**
3 **Exceptions**

4 FOR the purpose of altering and providing exceptions to the prohibition on using a
5   device that dials by remote control a preprogrammed telephone number and
6   transmits a prerecorded message communicating an existing emergency
7   condition without certain approval; and generally relating to prerecorded
8   emergency messages.

9 BY repealing and reenacting, with amendments,
10   Article - Criminal Law
11   Section 9-603
12   Annotated Code of Maryland
13   (2002 Volume and 2005 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 9-603.

18   (a)   A person may not [attach] USE a device [to a telephone or telephone line]
19 that dials by remote control a preprogrammed TELEPHONE number and transmits a
20 prerecorded message communicating an existing emergency condition, including fire,
21 illness, or crime, without written approval for the use of the device from the holder of
22 the number dialed UNLESS:

23   (1)   THE PERSON IS CONDUCTING AN OFFICIAL INVESTIGATION OF A
24 MISSING CHILD OR A VULNERABLE ADULT AND IS:

25   (I)   A LAW ENFORCEMENT OFFICIAL OF THE UNITED STATES, THE
26 STATE, A COUNTY, A MUNICIPAL CORPORATION, OR OTHER POLITICAL SUBDIVISION
27 OR UNIT OF THE STATE;

1   (II)   A SHERIFF OR FULL-TIME ASSISTANT OR DEPUTY SHERIFF OF
2 THE STATE; OR

3   (III)   A TEMPORARY OR PART-TIME DEPUTY SHERIFF; OR

4   (2)   THE PERSON IS A THIRD PARTY THAT IS SPECIFICALLY ASKED OR
5 DIRECTED TO TRANSMIT THE MESSAGE BY A PERSON LISTED UNDER PARAGRAPH (1)
6 OF THIS SUBSECTION IN CONJUNCTION WITH A LEGITIMATE INCIDENT OR ISSUE
7 RELATED TO LAW ENFORCEMENT.

8   (b)   A person who violates this section is guilty of a misdemeanor and on
9 conviction is subject to a fine not exceeding $50 for each violation.

10   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2006.