
By: **Delegates Cryor and Dumais**

Introduced and read first time: February 10, 2006

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 14, 2006

CHAPTER _____

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

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

3 ~~(I) A LAW ENFORCEMENT OFFICIAL OF THE UNITED STATES, THE~~
4 ~~STATE, A COUNTY, A MUNICIPAL CORPORATION, OR OTHER POLITICAL SUBDIVISION~~
5 ~~OR UNIT OF THE STATE;~~

6 ~~(II) A SHERIFF OR FULL-TIME ASSISTANT OR DEPUTY SHERIFF OF~~
7 ~~THE STATE; OR~~

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

9 ~~(2) THE PERSON IS A THIRD PARTY THAT IS SPECIFICALLY ASKED OR~~
10 ~~DIRECTED TO TRANSMIT THE MESSAGE BY A PERSON LISTED UNDER PARAGRAPH (1)~~
11 ~~OF THIS SUBSECTION IN CONJUNCTION WITH A LEGITIMATE INCIDENT OR ISSUE~~
12 ~~RELATED TO LAW ENFORCEMENT.~~

13 (B) THIS SECTION DOES NOT APPLY TO:

14 (1) A STATE OR LOCAL LAW ENFORCEMENT AGENCY THAT IS
15 CONDUCTING AN OFFICIAL INVESTIGATION OR COMMUNICATING AN EMERGENCY
16 CONDITION;

17 (2) A STATE OR LOCAL EMERGENCY MANAGEMENT AGENCY THAT IS
18 COMMUNICATING AN EMERGENCY CONDITION; OR

19 (3) A PERSON THAT IS SPECIFICALLY DESIGNATED BY AN AGENCY
20 DESCRIBED IN ITEM (1) OR (2) OF THIS SUBSECTION TO PARTICIPATE IN AN OFFICIAL
21 INVESTIGATION OR COMMUNICATE AN EMERGENCY CONDITION.

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

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