

(PRE-FILED)

By: **Senator Stone**
 Requested: August 23, 2005
 Introduced and read first time: January 11, 2006
 Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Violations of Offender Registration - Assisting an Offender**

3 FOR the purpose of prohibiting a person from knowingly assisting a person, who is
 4 subject to certain registration requirements and fails to comply with those
 5 requirements, in eluding a law enforcement agency or a certain supervising
 6 authority by withholding information regarding the whereabouts of the person
 7 under certain circumstances or by providing certain false information;
 8 establishing a certain penalty; defining certain terms; and generally relating to
 9 offender registration.

10 BY adding to
 11 Article - Criminal Law
 12 Section 9-409
 13 Annotated Code of Maryland
 14 (2002 Volume and 2005 Supplement)

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

17 **Article - Criminal Law**

18 9-409.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 20 INDICTED.

21 (2) "OFFENDER" MEANS A PERSON REQUIRED TO REGISTER UNDER §
 22 11-704 OF THE CRIMINAL PROCEDURE ARTICLE.

23 (3) "SUPERVISING AUTHORITY" HAS THE MEANING STATED IN § 11-701
 24 OF THE CRIMINAL PROCEDURE ARTICLE.

25 (B) A PERSON MAY NOT KNOWINGLY ASSIST AN OFFENDER IN ELUDING A
 26 LAW ENFORCEMENT AGENCY OR A SUPERVISING AUTHORITY THAT IS ATTEMPTING
 27 TO QUESTION THE OFFENDER REGARDING, OR ARREST THE OFFENDER FOR, FAILING

1 TO COMPLY WITH THE REGISTRATION REQUIREMENTS OF TITLE 11, SUBTITLE 7 OF
2 THE CRIMINAL PROCEDURE ARTICLE BY:

3 (1) WITHHOLDING INFORMATION ABOUT THE WHEREABOUTS OF THE
4 OFFENDER WHEN QUESTIONED BY A REPRESENTATIVE OF A LAW ENFORCEMENT
5 AGENCY OR A SUPERVISING AUTHORITY; OR

6 (2) PROVIDING FALSE INFORMATION TO A LAW ENFORCEMENT AGENCY
7 OR A SUPERVISING AUTHORITY REGARDING THE WHEREABOUTS OF AN OFFENDER.

8 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
9 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A
10 FINE NOT EXCEEDING \$5,000 OR BOTH.

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