
By: **Senators Mooney, Colburn, Hafer, Harris, Hooper, and Jacobs**

Introduced and read first time: February 3, 2006

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Hate Crimes - Application of Law to Members of the Armed Forces of the**
3 **United States**

4 FOR the purpose of expanding the scope of the prohibition of certain crimes that are
5 committed because of another's race, color, religious beliefs, sexual orientation,
6 or national origin to include past or current members of the armed forces of the
7 United States; and generally relating to hate crimes against past or current
8 members of the armed forces of the United States.

9 BY repealing and reenacting, with amendments,
10 Article - Criminal Law
11 Section 10-304 and 10-305
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 10-304.

18 Because of another's race, color, religious beliefs, sexual orientation, PAST OR
19 CURRENT MEMBERSHIP IN THE ARMED FORCES OF THE UNITED STATES, or national
20 origin, a person may not:

- 21 (1) (i) commit a crime against that person;
- 22 (ii) damage the real or personal property of that person;
- 23 (iii) deface, damage, or destroy, attempt to deface, damage, or
24 destroy the real or personal property of that person; or
- 25 (iv) burn or attempt to burn an object on the real or personal
26 property of that person.

1 (2) commit a violation of item (1) of this section that:

2 (i) except as provided in item (ii) of this item, involves a separate
3 crime that is a felony; or

4 (ii) results in the death of the victim.

5 10-305.

6 A person may not deface, damage, or destroy, attempt to deface, damage, or
7 destroy, burn or attempt to burn an object on, or damage the real or personal property
8 connected to a building that is publicly or privately owned, leased, or used, including
9 a cemetery, library, meeting hall, recreation center, or school:

10 (1) because a person or group of a particular race, color, religious belief,
11 sexual orientation, PAST OR CURRENT MEMBERSHIP IN THE ARMED FORCES OF THE
12 UNITED STATES, or national origin has contacts or is associated with the building; or

13 (2) if there is evidence that exhibits animosity against a person or group,
14 because of the race, color, religious beliefs, sexual orientation, PAST OR CURRENT
15 MEMBERSHIP IN THE ARMED FORCES OF THE UNITED STATES, or national origin of
16 that person or group.

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