
By: **Senators Mooney, Colburn, Hafer, 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 - Expanding Prohibitions and Protected Classes of People**

3 FOR the purpose of expanding the scope of the prohibition against harassment,
4 destruction of property, and damage to certain buildings to include certain
5 persons who are homeless; and generally relating to hate crimes against
6 homeless persons.

7 BY repealing and reenacting, with amendments,
8 Article - Criminal Law
9 Section 10-304 and 10-305
10 Annotated Code of Maryland
11 (2002 Volume and 2005 Supplement)

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

14 **Article - Criminal Law**

15 10-304.

16 Because of another's race, color, religious beliefs, sexual orientation, or national
17 origin, OR ON THE BASIS OF THE INDIVIDUAL BEING HOMELESS, a person may not:

18 (1) (i) commit a crime against that person;

19 (ii) damage the real or personal property of that person;

20 (iii) deface, damage, or destroy, attempt to deface, damage, or
21 destroy the real or personal property of that person; or

22 (iv) burn or attempt to burn an object on the real or personal
23 property of that person.

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

- 1 (i) except as provided in item (ii) of this item, involves a separate
2 crime that is a felony; or
- 3 (ii) results in the death of the victim.
- 4 10-305.

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

9 (1) because a person or group of a particular race, color, religious belief,
10 sexual orientation, NEED FOR HOUSING, or national origin has contacts or is
11 associated with the building; or

12 (2) if there is evidence that exhibits animosity against a person or group,
13 because of the race, color, religious beliefs, sexual orientation, or national origin of
14 that person or group OR NEED FOR HOUSING OF THAT PERSON OR GROUP.

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