

HB0041/682511/2

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 41
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Ramirez” and substitute “Delegates Ramirez, Ali, Taylor, and Vaughn”; in line 2, strike “Hanging or Placing of a Noose” and substitute “Use of a Noose or Swastika to Threaten or Intimidate”; strike beginning with “expanding” in line 3 down through “group” in line 8 and substitute “prohibiting a person from affixing, erecting, or placing a noose or swastika on a certain building or real property, without the express permission of the owner of the building or property or the owner’s agent, with the intent to threaten or intimidate any person or group of persons; establishing that a certain penalty applies to a violation of this Act”; in line 8, strike “hate crimes” and substitute “the use of a noose or swastika to threaten or intimidate a person or group of persons”; and strike in their entirety lines 9 through 13, inclusive, and substitute:

“BY adding to

Article – Criminal Law

Section 10-305.1

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 10-306

Annotated Code of Maryland

(2002 Volume and 2007 Supplement)”.

AMENDMENT NO. 2

(Over)

On pages 1 and 2, strike in their entirety the lines beginning with line 17 on page 1 through line 22 on page 2, inclusive, and substitute:

“10-305.1.

A PERSON MAY NOT AFFIX, ERECT, OR PLACE A NOOSE OR SWASTIKA ON A BUILDING OR REAL PROPERTY, PUBLIC OR PRIVATE, WITHOUT THE EXPRESS PERMISSION OF THE OWNER, OWNER’S AGENT, OR LAWFUL OCCUPANT OF THE BUILDING OR REAL PROPERTY, WITH THE INTENT TO THREATEN OR INTIMIDATE ANY PERSON OR GROUP OF PERSONS.

10-306.

(a) Except as provided in subsection (b) of this section, a person who violates this subtitle is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both.

(b) (1) A person who violates § 10-304(2)(i) of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

(2) A person who violates § 10-304(2)(ii) of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding \$20,000 or both.”.