

HOUSE BILL 41

E1

8lr0884

(PRE-FILED)

By: **Delegate Ramirez**

Requested: October 15, 2007

Introduced and read first time: January 9, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Hate Crimes – Hanging or Placing of a Noose**

3 FOR the purpose of expanding the scope of the prohibition against defacement of
4 certain property and damage to certain buildings to include the hanging or
5 placing of a noose on the real or personal property of a person or group or on the
6 real or personal property connected to a certain building because of the race,
7 color, religious beliefs, sexual orientation, or national origin of a certain person
8 or group; and generally relating to hate crimes.

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 2007 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, or national
19 origin, a person may not:

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) deface, damage, or destroy, or attempt to deface, damage, or
2 destroy the real or personal property of that person; [or]

3 (iv) burn or attempt to burn an object on the real or personal
4 property of that person; or

5 (V) **HANG OR PLACE A NOOSE ON THE REAL OR PERSONAL**
6 **PROPERTY OF THAT PERSON; OR**

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

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

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

11 10-305.

12 A person may not deface, damage, or destroy, attempt to deface, damage, or
13 destroy, burn or attempt to burn an object on, **HANG OR PLACE A NOOSE ON**, or
14 damage the real or personal property connected to a building that is publicly or
15 privately owned, leased, or used, including a cemetery, library, meeting hall,
16 recreation center, or school:

17 (1) because a person or group of a particular race, color, religious
18 belief, sexual orientation, or national origin has contacts or is associated with the
19 building; or

20 (2) if there is evidence that exhibits animosity against a person or
21 group, because of the race, color, religious beliefs, sexual orientation, or national origin
22 of that person or group.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2008.