

HOUSE BILL 560

E1

(9lr0514)

ENROLLED BILL

—*Judiciary/Judicial Proceedings*—

Introduced by **Delegates Kramer, Manno, Ramirez, Reznik, Simmons, and Valderrama**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Hate Crimes – Prohibitions and Protected Classes – ~~Age, Gender, and~~**
3 **Disability**

4 FOR the purpose of including ~~age, gender, and~~ disability within the scope of certain
5 prohibitions against committing certain crimes against certain persons,
6 damaging certain property of certain persons, burning certain objects, and
7 damaging certain buildings with which certain persons or groups have contacts
8 or associations, or under circumstances exhibiting animosity against a certain
9 person or group; prohibiting the attempt to commit a crime against a certain
10 person because of the race, color, religious beliefs, sexual orientation, ~~age,~~
11 ~~gender,~~ disability, or national origin of that person; establishing that a certain
12 penalty applies to certain offenses; and generally relating to hate crimes.

13 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 Article – Criminal Law
2 Section 10–304 and 10–305
3 Annotated Code of Maryland
4 (2002 Volume and 2008 Supplement)

5 BY repealing and reenacting, without amendments,
6 Article – Criminal Law
7 Section 10–306
8 Annotated Code of Maryland
9 (2002 Volume and 2008 Supplement)

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

12 **Article – Criminal Law**

13 10–304.

14 Because of another’s race, color, religious beliefs, sexual orientation, ~~AGE,~~
15 ~~GENDER,~~ **DISABILITY**, or national origin, a person may not:

16 (1) (i) commit a crime **OR ATTEMPT TO COMMIT A CRIME** against
17 that person;

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

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

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

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

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

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

27 10–305.

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

1 (1) because a person or group of a particular race, color, religious
2 belief, sexual orientation, ~~AGE, GENDER,~~ **DISABILITY**, or national origin has contacts
3 or is associated with the building; or

4 (2) if there is evidence that exhibits animosity against a person or
5 group, because of the race, color, religious beliefs, sexual orientation, ~~AGE, GENDER,~~
6 **DISABILITY**, or national origin of that person or group.

7 10-306.

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

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

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

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2009.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.