

# HOUSE BILL 778

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9lr1262

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By: **Delegates King, DeBoy, Gaines, Kipke, Levi, Rice, Schuh, Valderrama, Vaughn, and Walker**

Introduced and read first time: February 11, 2009

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Threat Against Deputy State’s Attorney or Assistant State’s**  
3 **Attorney**

4 FOR the purpose of making it a misdemeanor to knowingly and willfully make a  
5 threat to take the life of, kidnap, or cause physical injury to a deputy State’s  
6 Attorney or an assistant State’s Attorney; imposing certain penalties; and  
7 generally relating to the making of threats against deputy State’s Attorneys and  
8 assistant State’s Attorneys.

9 BY repealing and reenacting, with amendments,  
10 Article – Criminal Law  
11 Section 3–708  
12 Annotated Code of Maryland  
13 (2002 Volume and 2008 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 3–708.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) “Local official” means an individual serving in a publicly elected  
20 office of a local government unit, as defined in § 10–101 of the State Government  
21 Article.

22 (3) (i) “State official” has the meaning stated in § 15–102 of the  
23 State Government Article.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   (ii) “State official” includes the Governor, Governor–elect,  
2 Lieutenant Governor, and Lieutenant Governor–elect.

3                   (4) “Threat” includes:

4                   (i) an oral threat; or

5                   (ii) a threat in any written form, whether or not the writing is  
6 signed, or if the writing is signed, whether or not it is signed with a fictitious name or  
7 any other mark.

8                   (b) A person may not knowingly and willfully make a threat to take the life  
9 of, kidnap, or cause physical injury to a State official [or], **A local official, A DEPUTY**  
10 **STATE’S ATTORNEY, OR AN ASSISTANT STATE’S ATTORNEY.**

11                   (c) A person may not knowingly send, deliver, part with, or make for the  
12 purpose of sending or delivering a threat prohibited under subsection (b) of this  
13 section.

14                   (d) A person who violates this section is guilty of a misdemeanor and on  
15 conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding  
16 \$2,500 or both.

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