

HOUSE BILL 1315

E1
HB 917/08 – JUD

9lr0606

By: **Delegates Ramirez, Anderson, Barnes, Bobo, Levi, Rosenberg, Schuler, Smigiel, and Valderrama**

Introduced and read first time: February 16, 2009

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Offensive Physical Contact**

3 FOR the purpose of prohibiting a person from intentionally causing or attempting to
4 cause certain offensive physical contact to an adult or engaging in conduct
5 intending to put an adult in fear of certain offensive physical contact; providing
6 that this Act does not apply to certain physical contact that results in the filing
7 of a certain incident report or petition for relief; making a certain offense subject
8 to certain penalties; and generally relating to offensive physical contact.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 10–201(c)
12 Annotated Code of Maryland
13 (2002 Volume and 2008 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Criminal Law
16 Section 10–201(d)
17 Annotated Code of Maryland
18 (2002 Volume and 2008 Supplement)

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

21 **Article – Criminal Law**

22 10–201.

23 (c) (1) A person may not willfully and without lawful purpose obstruct or
24 hinder the free passage of another in a public place or on a public conveyance.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) A person may not willfully act in a disorderly manner that disturbs the public peace.

(3) A person may not willfully fail to obey a reasonable and lawful order that a law enforcement officer makes to prevent a disturbance to the public peace.

(4) A person who enters the land or premises of another, whether an owner or lessee, or a beach adjacent to residential riparian property, may not willfully:

(i) disturb the peace of persons on the land, premises, or beach by making an unreasonably loud noise; or

(ii) act in a disorderly manner.

(5) A person from any location may not, by making an unreasonably loud noise, willfully disturb the peace of another:

(i) on the other's land or premises;

(ii) in a public place; or

(iii) on a public conveyance.

(6) (I) THIS PARAGRAPH DOES NOT APPLY TO PHYSICAL CONTACT THAT RESULTS IN THE FILING OF AN INCIDENT REPORT WITH LAW ENFORCEMENT OR A PETITION FOR RELIEF WITH A COURT OR COMMISSIONER UNDER TITLE 4, SUBTITLE 5 OF THE FAMILY LAW ARTICLE.

(II) A PERSON MAY NOT:

1. INTENTIONALLY CAUSE MINOR OFFENSIVE PHYSICAL CONTACT OF A NONSEXUAL NATURE TO AN ADULT;

2. ENGAGE IN CONDUCT INTENDING TO PUT AN ADULT IN FEAR OF MINOR OFFENSIVE PHYSICAL CONTACT OF A NONSEXUAL NATURE; OR

3. ATTEMPT TO CAUSE MINOR OFFENSIVE PHYSICAL CONTACT OF A NONSEXUAL NATURE TO AN ADULT.

[(6)] (7) In Worcester County, a person may not build a bonfire or allow a bonfire to burn on a beach or other property between 1 a.m. and 5 a.m.

1 (d) A person who violates this section is guilty of a misdemeanor and on
2 conviction is subject to imprisonment not exceeding 60 days or a fine not exceeding
3 \$500 or both.

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