

SENATE BILL 680

E1

0lr2582

By: **Senator Harrington**

Introduced and read first time: February 10, 2010

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Simulated Census Documents – Prohibition**

3 FOR the purpose of prohibiting a person from using, sending, or delivering to another
4 a certain document that simulates an official letter, survey, or questionnaire
5 relating to the decennial census of the United States or implies a certain
6 association with certain government entities for a certain purpose; prohibiting a
7 person from using a certain logo, seal, insignia, envelope, or other form that
8 simulates certain identifying information of any governmental unit; providing
9 for a certain penalty; providing for the proof of sending; establishing the
10 jurisdiction in which a certain person may be prosecuted; and generally relating
11 to prohibiting simulated census documents.

12 BY adding to
13 Article – Criminal Law
14 Section 8–524
15 Annotated Code of Maryland
16 (2002 Volume and 2009 Supplement)

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

19 **Article – Criminal Law**

20 **8–524.**

21 **(A) THIS SECTION APPLIES TO A SIMULATED DOCUMENT EVEN IF THE**
22 **DOCUMENT CONTAINS A STATEMENT THAT IT IS NOT A GOVERNMENT**
23 **DOCUMENT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) A PERSON MAY NOT USE, SEND, OR DELIVER TO ANOTHER,**
2 **WITH THE INTENT TO COLLECT PERSONAL DATA OR INFORMATION ABOUT AN**
3 **INDIVIDUAL OR TO ENCOURAGE, SOLICIT, OR RECEIVE CONTRIBUTIONS OF**
4 **MONEY FOR AN ORGANIZATION OR PERSON, A DOCUMENT THAT:**

5 **(I) SIMULATES AN OFFICIAL LETTER, SURVEY, OR**
6 **QUESTIONNAIRE OF ANY KIND RELATING TO THE DECENNIAL CENSUS OF THE**
7 **UNITED STATES; OR**

8 **(II) IMPLIES THAT THE PERSON IS A PART OF OR**
9 **ASSOCIATED WITH A UNIT OF THE FEDERAL GOVERNMENT OR A UNIT OF THE**
10 **STATE OR A COUNTY OR MUNICIPAL GOVERNMENT.**

11 **(2) WITH INTENT TO COLLECT PERSONAL DATA OR INFORMATION**
12 **ABOUT AN INDIVIDUAL OR TO ENCOURAGE, SOLICIT, OR RECEIVE**
13 **CONTRIBUTIONS OF MONEY FOR AN ORGANIZATION OR PERSON, A PERSON MAY**
14 **NOT USE A LOGO, SEAL, INSIGNIA, ENVELOPE, OR ANY OTHER FORM THAT**
15 **SIMULATES THE LOGO, SEAL, INSIGNIA, ENVELOPE, OR FORM OF ANY**
16 **GOVERNMENTAL UNIT.**

17 **(C) PROOF THAT THE DOCUMENT WAS MAILED OR DELIVERED TO ANY**
18 **PERSON WITH THE INTENT THAT IT BE FORWARDED TO THE INTENDED**
19 **RECIPIENT IS SUFFICIENT PROOF OF SENDING.**

20 **(D) A PERSON WHO HAS BEEN CHARGED WITH A VIOLATION OF THIS**
21 **SECTION MAY BE PROSECUTED IN THE COUNTY IN WHICH THE SIMULATED**
22 **DOCUMENT WAS USED, SOLD, SENT, OR DELIVERED.**

23 **(E) A PERSON WHO VIOLATES SUBSECTIONS (B) AND (C) OF THIS**
24 **SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A**
25 **FINE NOT EXCEEDING:**

26 **(1) \$500 FOR THE FIRST VIOLATION; AND**

27 **(2) \$1,000 FOR EACH SUBSEQUENT VIOLATION.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2010.