

HOUSE BILL 489

E1
HB 1507/10 – JUD

3lr2101
CF SB 504

By: **Delegates Mitchell, Anderson, Burns, Conaway, DeBoy, Dumais, Glenn, Haynes, Ivey, Lafferty, Lee, McIntosh, Mizeur, Niemann, B. Robinson, Stukes, Valentino-Smith, Vaughn, and M. Washington**

Introduced and read first time: January 30, 2013
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 18, 2013

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Threat Against State or Local Official – ~~Definitions~~**
3 **Expansion**

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, ~~or an Assistant Public Defender~~;
7 imposing certain penalties; and generally relating to the making of threats
8 against deputy State's Attorneys ~~and~~, assistant State's Attorneys, ~~and Assistant~~
9 Public Defenders.

10 BY repealing and reenacting, with amendments,
11 Article – Criminal Law
12 Section 3–708
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2012 Supplement)

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

17 **Article – Criminal Law**

18 3–708.

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.



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

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

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

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

9 (4) “Threat” includes:

10 (i) an oral threat; or

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

14 (b) A person may not knowingly and willfully make a threat to take the life
15 of, kidnap, or cause physical injury to a State official [or], A local official, A **DEPUTY**
16 **STATE’S ATTORNEY, ~~OR~~ AN ASSISTANT STATE’S ATTORNEY, OR AN ASSISTANT**
17 **PUBLIC DEFENDER.**

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

21 (d) A person who violates this section is guilty of a misdemeanor and on
22 conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding
23 \$2,500 or both.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2013.