

# SENATE BILL 546

E2, L6  
SB 285/12 – JPR

3lr0544

---

By: **Senators Frosh, Brinkley, Brochin, Conway, Dyson, Getty, Glassman, Kittleman, Madaleno, Middleton, Miller, Robey, and Stone**

Introduced and read first time: February 1, 2013

Assigned to: Judicial Proceedings

---

Committee Report: Favorable

Senate action: Adopted

Read second time: March 19, 2013

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Immunity of Local Government Officials – Prosecutions for Bribery**

3 FOR the purpose of providing an exception to certain immunity for certain  
4 government officials for words spoken at certain meetings; and generally  
5 relating to immunity of local government officials.

6 BY repealing and reenacting, with amendments,  
7 Article – Courts and Judicial Proceedings  
8 Section 5–501  
9 Annotated Code of Maryland  
10 (2006 Replacement Volume and 2012 Supplement)

11 BY repealing and reenacting, without amendments,  
12 Article – Criminal Law  
13 Section 9–201  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume and 2012 Supplement)

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

18 **Article – Courts and Judicial Proceedings**

19 5–501.

---

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                   6.     a member, officer, or executive officer of a political  
2 subdivision.

3           (b)     A person may not bribe or attempt to bribe a public employee to influence  
4 the public employee in the performance of an official duty of the public employee.

5           (c)     A public employee may not demand or receive a bribe, fee, reward, or  
6 testimonial to:

7                   (1)     influence the performance of the official duties of the public  
8 employee; or

9                   (2)     neglect or fail to perform the official duties of the public employee.

10          (d)     A person who violates this section is guilty of the misdemeanor of bribery  
11 and on conviction:

12                   (1)     is subject to imprisonment for not less than 2 years and not  
13 exceeding 12 years or a fine not less than \$100 and not exceeding \$5,000 or both;

14                   (2)     may not vote; and

15                   (3)     may not hold an office of trust or profit in the State.

16          (e)     A person who violates this section is subject to § 5–106(b) of the Courts  
17 Article.

18          (f)     (1)     A person who violates this section:

19                   (i)     is a competent witness; and

20                   (ii)     subject to paragraph (2) of this subsection, may be compelled  
21 to testify against any person who may have violated this section.

22                   (2)     A person compelled to testify for the State under paragraph (1) of  
23 this subsection is immune from prosecution for a crime about which the person was  
24 compelled to testify.

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