

SENATE BILL 219

E1

4lr0467

By: **Senators Shank and Edwards**

Introduced and read first time: January 16, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Threat Against State or Local Official – Correctional Officers**

3 FOR the purpose of making it a misdemeanor to knowingly and willfully make a
4 threat to take the life of, kidnap, or cause physical injury to a correctional
5 officer; imposing certain penalties; and generally relating to the making of
6 threats against correctional officers.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Law
9 Section 3–708
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2013 Supplement)

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

14 **Article – Criminal Law**

15 3–708.

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

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) “Threat” includes:

2 (i) an oral threat; or

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

6 (b) A person may not knowingly and willfully make a threat to take the life
7 of, kidnap, or cause physical injury to a State official, a local official, a deputy State’s
8 Attorney, an assistant State’s Attorney, [or] an assistant Public Defender, **OR A**
9 **CORRECTIONAL OFFICER.**

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

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

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2014.