

# HOUSE BILL 493

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CF SB 178

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By: **Delegates Morales, Smith, Anderson, Atterbeary, Carr, Carter, Conaway, Cullison, Dumais, Fennell, Fraser-Hidalgo, Gutierrez, Healey, Hill, Jackson, Krimm, Lierman, Luedtke, McCray, Moon, Pena-Melnyk, Platt, Proctor, S. Robinson, Sanchez, Sydnor, Tarlau, Valentino-Smith, Vallario, Waldstreicher, A. Washington, M. Washington, and Zucker**

Introduced and read first time: February 1, 2016

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Extortion – Immigration Status**

3 FOR the purpose of prohibiting a person from committing a certain act of extortion by  
4 wrongful use of actual or threatened notification of law enforcement officials about  
5 another person’s undocumented or illegal immigration status; and generally relating  
6 to extortion.

7 BY repealing and reenacting, with amendments,  
8 Article – Criminal Law  
9 Section 3–701  
10 Annotated Code of Maryland  
11 (2012 Replacement Volume and 2015 Supplement)

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

14 **Article – Criminal Law**

15 3–701.

16 (a) This section does not apply to legitimate efforts by employees or their  
17 representatives to obtain certain wages, hours, or working conditions.

18 (b) A person may not obtain, attempt to obtain, or conspire to obtain money,  
19 property, labor, services, or anything of value from another person with the person’s  
20 consent, if the consent is induced by wrongful use of actual or threatened:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) force or violence;

2 (2) economic injury; [or]

3 (3) destruction, concealment, removal, confiscation, or possession of any  
4 immigration or government identification document with intent to harm the immigration  
5 status of another person; OR

6 (4) NOTIFICATION OF LAW ENFORCEMENT OFFICIALS ABOUT  
7 ANOTHER PERSON'S UNDOCUMENTED OR ILLEGAL IMMIGRATION STATUS.

8 (c) (1) If the value of the property, labor, or services is at least \$1,000 but less  
9 than \$10,000, a person who violates this section is guilty of the felony of extortion and on  
10 conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000  
11 or both.

12 (2) If the value of the property, labor, or services is at least \$10,000 but less  
13 than \$100,000, a person who violates this section is guilty of the felony of extortion and on  
14 conviction is subject to imprisonment not exceeding 15 years or a fine not exceeding \$15,000  
15 or both.

16 (3) If the value of the property, labor, or services is \$100,000 or more, a  
17 person who violates this section is guilty of the felony of extortion and on conviction is  
18 subject to imprisonment not exceeding 25 years or a fine not exceeding \$25,000 or both.

19 (d) If the value of the property, labor, or services is less than \$1,000, a person who  
20 violates this section is guilty of the misdemeanor of extortion and on conviction is subject  
21 to imprisonment not exceeding 18 months or a fine not exceeding \$1,000 or both.

22 (e) A prosecution for a felony under this section shall be instituted within 5 years  
23 after the crime was committed.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2016.