

# HOUSE BILL 556

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6lr2338

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By: **Delegates Sydnor, Barron, and Moon**

Introduced and read first time: February 3, 2016

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Threatening Juror, Witness, or Officer of Court for Performance**  
3 **of Duty – Penalties**

4 FOR the purpose of establishing that a person may not threaten, intimidate, impede, or  
5 injure a juror, a witness, or an officer of a court of the State or of the United States  
6 for any reason related to the performance by the juror, witness, or officer of that  
7 person’s official duties; prohibiting a person from soliciting another to violate this  
8 Act; providing penalties for a violation of this Act; and generally relating to the  
9 protection of jurors, witnesses, and officers of the court.

10 BY repealing and reenacting, with amendments,  
11 Article – Criminal Law  
12 Section 9–305  
13 Annotated Code of Maryland  
14 (2012 Replacement Volume and 2015 Supplement)

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

17 **Article – Criminal Law**

18 9–305.

19 (a) A person may not, by threat, force, or corrupt means, try to influence,  
20 intimidate, or impede a juror, a witness, or an officer of a court of the State or of the United  
21 States in the performance of the person’s official duties.

22 (b) A person may not solicit another person to, by threat, force, or corrupt means,  
23 try to influence, intimidate, or impede a juror, a witness, or an officer of the court of the  
24 State or of the United States in the performance of the person’s official duties.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(C) (1) A PERSON MAY NOT THREATEN, INTIMIDATE, IMPEDE, OR INJURE**  
2 **A JUROR, A WITNESS, OR AN OFFICER OF A COURT OF THE STATE OR OF THE UNITED**  
3 **STATES FOR ANY REASON RELATED TO THE PERFORMANCE BY THE JUROR,**  
4 **WITNESS, OR OFFICER OF THAT PERSON’S OFFICIAL DUTIES.**

5           **(2) A PERSON MAY NOT SOLICIT ANOTHER PERSON TO VIOLATE**  
6 **PARAGRAPH (1) OF THIS SUBSECTION.**

7           **[(c)] (D) (1)** Except as provided in paragraph (2) of this subsection, a person  
8 who violates this section is guilty of a misdemeanor and on conviction is subject to  
9 imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.

10           (2) If an act described in subsection (a) **OR (C)** of this section is taken in  
11 connection with a proceeding involving a felonious violation of Title 5 of this article or the  
12 commission of a crime of violence as defined in § 14–101 of this article, or a conspiracy or  
13 solicitation to commit such a crime, a person who violates this section is guilty of a felony  
14 and on conviction is subject to imprisonment not exceeding 20 years.

15           **[(d)] (E)** A sentence imposed under this section may be separate from and  
16 consecutive to or concurrent with a sentence for any crime based on the act establishing  
17 the violation of this section.

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