

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 121
Judiciary

(Delegate Carozza, *et al.*)

Judicial Proceedings

Criminal Law - False Statement Concerning Destructive Device or Toxic
Material - Venue

This bill authorizes a person to be prosecuted for making a false statement concerning a destructive device or toxic material using a telephone or other electronic means in the county in which the destructive device or toxic material was stated or was rumored to be located.

Fiscal Summary

State Effect: The bill is procedural/technical in nature and does not materially affect State finances.

Local Effect: The bill is procedural/technical in nature and does not materially affect local finances.

Small Business Effect: None.

Analysis

Current Law: A person is prohibited from circulating or transmitting to another, with intent that it be acted on, a statement or rumor that the person knows to be false about the location or possible detonation of a destructive device or the location or possible release of toxic material. A violator is guilty of a felony, punishable by imprisonment for up to 10 years and/or a \$10,000 maximum fine. Violators may also be required to pay restitution. If the offense was committed by a minor, the minor's driving privileges may be suspended.

The prohibition does not apply to a statement made or rumor circulated by an officer, employee, or agent of a bona fide civilian defense organization or unit, if made in the regular course of the person's duties.

If the crime was committed using a telephone or other electronic means, the crime may be prosecuted in the county in which the communication originated or the county in which the communication was received.

Additional Information

Prior Introductions: HB 234 of 2014 passed the House and received a hearing in the Senate Judicial Proceedings Committee. No further action was taken on the bill. HB 719 of 2013 passed the House and received a hearing in the Senate Judicial Proceedings Committee. No further action was taken on the bill.

Cross File: SB 287 (Senator Hough, *et al.*) - Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts), State's Attorneys' Association, Department of Legislative Services

Fiscal Note History: First Reader - January 27, 2016
min/kdm

Analysis by: Amy A. Devadas

Direct Inquiries to:
(410) 946-5510
(301) 970-5510