

HB0879/353423/1

BY: Senator Miller

AMENDMENTS TO HOUSE BILL 879
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, before “altering” insert “altering the penalty for a certain offense relating to bribery of a public employee;”.

On page 3, after line 29, insert:

“BY repealing and reenacting, with amendments,
Article - Criminal Law
Section 9-201
Annotated Code of Maryland
(2012 Replacement Volume and 2016 Supplement)”.

AMENDMENT NO. 2

On page 4, after line 12, insert:

“Article – Criminal Law

9–201.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Political subdivision” includes a:
- (i) county;
 - (ii) municipal corporation;

(Over)

(iii) bi-county or multicounty agency;

(iv) county board of education;

(v) public authority; or

(vi) special taxing district that is not a homeowner's association.

(3) (i) "Public employee" means an officer or employee of:

1. the State; or

2. a political subdivision of the State.

(ii) "Public employee" includes:

1. an executive officer of the State;

2. a judge of the State;

3. a judicial officer of the State;

4. a member or officer of the General Assembly;

5. a member of the police force of Baltimore City or the Department of State Police; and

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

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

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

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

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

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

(1) is subject to imprisonment for not less than 2 years and not exceeding 12 years or a fine not less than ~~[\$100]~~**\$1,000** and not exceeding ~~[\$5,000]~~**\$10,000** or both;

(2) may not vote; and

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

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

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

(i) is a competent witness; and

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

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