

# HOUSE BILL 622

E1

9lr1962

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By: **Calvert County Delegation**

Introduced and read first time: February 6, 2019

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Trespass – Refusal or Failure to Leave Public Building or**  
3 **Grounds**

4 FOR the purpose of prohibiting a person who has been served a certain order, warning, or  
5 document from refusing or failing to leave a public building or grounds, or a specific  
6 part of a public building or grounds under certain circumstances; and generally  
7 relating to trespassing in a public building or on public grounds.

8 BY repealing and reenacting, with amendments,

9 Article – Criminal Law

10 Section 6–409

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2018 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Criminal Law**

16 6–409.

17 (a) A person may not refuse or fail to leave a public building or grounds, or a  
18 specific part of a public building or grounds, during the time when the public building or  
19 grounds, or specific part of the public building or grounds, is regularly closed to the public  
20 if:

21 (1) the surrounding circumstances would indicate to a reasonable person  
22 that the person who refuses or fails to leave has no apparent lawful business to pursue at  
23 the public building or grounds; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) a regularly employed guard, watchman, or other authorized employee  
2 of the government unit that owns, operates, or maintains the public building or grounds  
3 asks the person to leave.

4           (b) A person may not refuse or fail to leave a public building or grounds, or a  
5 specific part of a public building or grounds, during regular business hours if:

6           (1) **(I)** the surrounding circumstances would indicate to a reasonable  
7 person that the person who refuses or fails to leave:

8                       [(i)] **1.** has no apparent lawful business to pursue at the public  
9 building or grounds; or

10                      [(ii)] **2.** is acting in a manner disruptive of and disturbing to the  
11 conduct of normal business by the government unit that owns, operates, or maintains the  
12 public building or grounds; and

13           [(2)] **(II)** an authorized employee of the government unit asks the person  
14 to leave; **OR**

15           **(2) THE PERSON HAS BEEN SERVED A COURT ORDER, A TRESPASS**  
16 **WARNING, OR ANY OTHER OFFICIAL GOVERNMENT DOCUMENT PROHIBITING THE**  
17 **PERSON FROM RETURNING TO THE PUBLIC BUILDING OR GROUNDS, OR A SPECIFIC**  
18 **PART OF THE PUBLIC BUILDING OR GROUNDS AT THE TIME OF THE VIOLATION.**

19           (c) A person who violates this section is guilty of a misdemeanor and on conviction  
20 is subject to imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both.

21           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2019.