

HOUSE BILL 1164

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By: **Delegates Rosenberg, D. Barnes, Chang, Fraser–Hidalgo, Lopez, and Luedtke**
Introduced and read first time: February 7, 2020
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Domestic Terrorism**

3 FOR the purpose of prohibiting a person from committing a crime with the intent to cause
4 serious physical injury to or death of another and to intimidate or coerce a civilian
5 population, to influence the policy of a government by intimidation or coercion, or to
6 affect the conduct of a government by mass destruction, assassination, or
7 kidnapping; prohibiting a person from committing certain violations involving a
8 separate crime that is a felony or results in the death of another; providing penalties
9 for the misdemeanor and felony of domestic terrorism; requiring the Governor’s
10 Office of Homeland Security to report to the General Assembly on certain matters on
11 or before a certain date; and generally relating to domestic terrorism.

12 BY adding to

13 Article – Criminal Law

14 Section 9–901 to be under the new subtitle “Subtitle 9. Domestic Terrorism”

15 Annotated Code of Maryland

16 (2012 Replacement Volume and 2019 Supplement)

17 Preamble

18 WHEREAS, The United States Department of Homeland Security’s Strategic
19 Framework for Countering Terrorism and Targeted Violence, published September 2019,
20 states “in an age of online radicalization to violent extremism and disparate threats, we
21 must not only counter foreign enemies trying to strike us from abroad, but also those
22 enemies, foreign and domestic, that seek to spur to violence our youth and our
23 disaffected—encouraging them to strike in the heart of our Nation”; now, therefore,

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

26 **Article – Criminal Law**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SUBTITLE 9. DOMESTIC TERRORISM.

9-901.

(A) A PERSON MAY NOT:

(1) COMMIT A CRIME WITH THE INTENT TO:

(I) CAUSE SERIOUS PHYSICAL INJURY TO OR DEATH OF ANOTHER; AND

(II) 1. INTIMIDATE OR COERCE A CIVILIAN POPULATION;

2. INFLUENCE THE POLICY OF A GOVERNMENT BY INTIMIDATION OR COERCION; OR

3. AFFECT THE CONDUCT OF A GOVERNMENT BY MASS DESTRUCTION, ASSASSINATION, OR KIDNAPPING; OR

(2) COMMIT A VIOLATION OF ITEM (1) OF THIS SUBSECTION THAT:

(I) EXCEPT AS PROVIDED IN ITEM (II) OF THIS ITEM, INVOLVES A SEPARATE CRIME THAT IS A FELONY; OR

(II) RESULTS IN THE DEATH OF ANOTHER.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERSON WHO VIOLATES SUBSECTION (A) OF THIS SECTION IS GUILTY OF THE MISDEMEANOR OF DOMESTIC TERRORISM AND ON CONVICTION SHALL BE SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(2) (I) A PERSON WHO VIOLATES SUBSECTION (A)(2)(I) OF THIS SECTION IS GUILTY OF THE FELONY OF DOMESTIC TERRORISM AND ON CONVICTION SHALL BE SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

(II) A PERSON WHO VIOLATES SUBSECTION (A)(2)(II) OF THIS SECTION IS GUILTY OF THE FELONY OF DOMESTIC TERRORISM AND ON CONVICTION SHALL BE SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS OR A FINE NOT EXCEEDING \$20,000 OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2021,

1 the Governor's Office of Homeland Security shall report to the General Assembly, in
2 accordance with § 2-1257 of the State Government Article, on the State's efforts and plans
3 to prevent, detect, and address domestic terrorism, to the extent that the publication of
4 such information does not jeopardize public safety or security.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2020.