

HOUSE BILL 1467

E1

0lr2219

By: **Calvert County Delegation**

Introduced and read first time: February 7, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Criminal Law – 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, including a
6 recreational facility or park lands, owned by Calvert County, or a specific part of a
7 public building or grounds owned by the county under certain circumstances; and
8 generally relating to trespassing in a public building or on public grounds.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Law
11 Section 6–409
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2019 Supplement)

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

16 **Article – Criminal Law**

17 6–409.

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

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

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) the surrounding circumstances would indicate to a reasonable person
7 that the person who refuses or fails to leave:

8 (i) has no apparent lawful business to pursue at the public building
9 or grounds; or

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

13 (2) an authorized employee of the government unit asks the person to
14 leave.

15 **(C) A PERSON MAY NOT REFUSE OR FAIL TO LEAVE A PUBLIC BUILDING OR**
16 **GROUND, INCLUDING A RECREATIONAL FACILITY OR PARK LANDS, OR A SPECIFIC**
17 **PART OF A PUBLIC BUILDING OR GROUNDS OWNED BY CALVERT COUNTY IF THE**
18 **PERSON HAS BEEN SERVED A COURT ORDER, A TRESPASS WARNING, OR ANY OTHER**
19 **GOVERNMENT DOCUMENT PROHIBITING THE PERSON FROM RETURNING TO THE**
20 **PUBLIC BUILDING OR GROUNDS, OR A SPECIFIC PART OF THE BUILDING OR**
21 **GROUND, AT THE TIME OF THE VIOLATION.**

22 **[(c)] (D)** A person who violates this section is guilty of a misdemeanor and on
23 conviction is subject to imprisonment not exceeding 6 months or a fine not exceeding \$1,000
24 or both.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2020.