

# HOUSE BILL 700

F1, F2, F5

1lr2453

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By: **Delegate Ruth**

Introduced and read first time: January 26, 2021

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2021

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education – ~~Disruption of School Activities – Repeal of Prohibition~~ Crimes on**  
3 **School Grounds – Exemptions**

4 FOR the purpose of ~~repealing a provision of law prohibiting a person from willfully~~  
5 ~~disturbing or otherwise willfully preventing the orderly conduct of activities,~~  
6 ~~administration, or classes of any institution of elementary, secondary, or higher~~  
7 ~~education,~~ specifying that certain provisions of law prohibiting and penalizing  
8 certain behavior on the grounds or in the classes of institutions of elementary,  
9 secondary, or higher education do not apply to students who commit offenses at the  
10 institution they attend, students on exclusionary discipline who commit offenses at  
11 the institution they attend, or students who commit offenses while participating in  
12 or attending a sporting event or other extracurricular program sponsored by another  
13 institution; and generally relating to ~~the disruption of activities~~ exemptions from  
14 provisions of law that prohibit and penalize disruptive and threatening behavior in  
15 elementary, secondary, and higher education institutions.

16 BY repealing and reenacting, with amendments,  
17 Article – Education  
18 Section 26–101  
19 Annotated Code of Maryland  
20 (2018 Replacement Volume and 2020 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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## Article – Education

2 26–101.

3 ~~[(a)]~~ ~~(A)~~ **SUBJECT TO SUBSECTION (F) OF THIS SECTION, A** person may not  
 4 willfully disturb or otherwise willfully prevent the orderly conduct of the activities,  
 5 administration, or classes of any institution of elementary, secondary, or higher education.]

6 ~~[(b)]~~ ~~(A)~~ **SUBJECT TO SUBSECTION (F) OF THIS SECTION, A** person may not  
 7 molest or threaten with bodily harm any student, employee, administrator, agent, or any  
 8 other individual who is lawfully:

9 (1) On the grounds or in the immediate vicinity of any institution of  
 10 elementary, secondary, or higher education;

11 (2) On a school vehicle;

12 (3) At an activity sponsored by a school that is held off school property; or

13 (4) On property that is owned by a county board and is used for  
 14 administrative or other purposes.

15 ~~[(c)]~~ ~~(B)~~ **SUBJECT TO SUBSECTION (F) OF THIS SECTION, A** person may not  
 16 threaten with bodily harm any employee of any institution of elementary, secondary, or  
 17 higher education at home by any means, including in person, by telephone, or by electronic  
 18 mail. This prohibition applies only to threats arising out of the scope of the employee's  
 19 employment.

20 ~~[(d)]~~ ~~(C)~~ In addition to the penalties provided in this section or in § 6–409 of the  
 21 Criminal Law Article, on application by the governing board of any institution of  
 22 elementary, secondary, or higher education, the circuit court of the county in which the  
 23 institution is located may issue an injunction restraining any specific activities that violate  
 24 this section.

25 ~~[(e)]~~ ~~(D)~~ ~~Any~~ **SUBJECT TO SUBSECTION (F) OF THIS SECTION, A** person who  
 26 violates any provision of this section is guilty of a misdemeanor and on conviction is subject  
 27 to a fine not exceeding \$2,500, imprisonment not exceeding 6 months, or both.

28 **(F) THE PROHIBITIONS AND PENALTIES IN THIS SECTION DO NOT APPLY TO**  
 29 **A PERSON WHO IS:**

30 **(1) A STUDENT CURRENTLY ATTENDING THE INSTITUTION OF**  
 31 **ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHERE THE OFFENSE OCCURS;**

1           **(2) A STUDENT CURRENTLY ON EXCLUSIONARY DISCIPLINE FROM**  
2 **THE INSTITUTION OF ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHERE**  
3 **THE OFFENSE OCCURS; OR**

4           **(3) A STUDENT CURRENTLY ATTENDING ANOTHER INSTITUTION OF**  
5 **ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHO IS PARTICIPATING IN OR**  
6 **ATTENDING A SPORTING EVENT OR OTHER EXTRACURRICULAR PROGRAM**  
7 **SPONSORED BY THE INSTITUTION WHERE THE OFFENSE OCCURS.**

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
9 1, 2021.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.