HOUSE BILL 700

By: Delegate Ruth
Introduced and read first time: January 26, 2021
Assigned to: Ways and Means
Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 4, 2021

CHAPTER ______

1 AN ACT concerning

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

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

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

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

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

26–101.

(a) Subject to subsection (f) of this section, a person may not willfully disturb or otherwise willfully prevent the orderly conduct of the activities, administration, or classes of any institution of elementary, secondary, or higher education.

(b) Subject to subsection (f) of this section, a person may not molest or threaten with bodily harm any student, employee, administrator, agent, or any other individual who is lawfully:

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

(2) On a school vehicle;

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

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

(c) Subject to subsection (f) of this section, a person may not threaten with bodily harm any employee of any institution of elementary, secondary, or higher education at home by any means, including in person, by telephone, or by electronic mail. This prohibition applies only to threats arising out of the scope of the employee’s employment.

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

(e) Any person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $2,500, imprisonment not exceeding 6 months, or both.

(f) The prohibitions and penalties in this section do not apply to a person who is:

(1) A student currently attending the institution of elementary, secondary, or higher education where the offense occurs;
(2) A STUDENT CURRENTLY ON EXCLUSIONARY DISCIPLINE FROM THE INSTITUTION OF ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHERE THE OFFENSE OCCURS; OR

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

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