A BILL ENTITLED

AN ACT concerning

Criminal Law – Threat Against Public Health Official

FOR the purpose of prohibiting a person from making or sending a threat to a public health official with a certain intent; establishing certain penalties for a violation of this Act; defining certain terms; making this Act an emergency measure; and generally relating to the prohibition against making or sending threats to public health officials.

BY adding to

Article – Criminal Law

Section 3–708.1

Annotated Code of Maryland

(2012 Replacement Volume and 2020 Supplement)

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

Article – Criminal Law

3–708.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “PUBLIC HEALTH OFFICIAL” MEANS AN INDIVIDUAL EMPLOYED BY A STATE OR LOCAL HEALTH DEPARTMENT OR AGENCY.

(3) “THREAT” MEANS:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.
(I)  AN ORAL THREAT; OR

(II)  A THREAT IN ANY WRITTEN FORM, WHETHER OR NOT THE
WRITING IS SIGNED, OR IF THE WRITING IS SIGNED, WHETHER OR NOT IT IS SIGNED
WITH A FICTITIOUS NAME OR ANY OTHER MARK.

(B)  A PERSON MAY NOT KNOWINGLY AND WILLFULLY MAKE A THREAT TO A
PUBLIC HEALTH OFFICIAL WITH THE INTENT TO INTIMIDATE, INTERFERE WITH, OR
IMPEDE A PUBLIC HEALTH OFFICIAL FROM PERFORMING THE PUBLIC HEALTH
OFFICIAL’S OFFICIAL DUTIES.

(C)  A PERSON MAY NOT KNOWINGLY SEND, DELIVER, PART WITH, OR MAKE
FOR THE PURPOSE OF SENDING OR DELIVERING A THREAT PROHIBITED UNDER
SUBSECTION (B) OF THIS SECTION.

(D)  A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR
AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A
FINE NOT EXCEEDING $500 OR BOTH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
measure, is necessary for the immediate preservation of the public health or safety, has
been passed by a yea and nay vote supported by three-fifths of all the members elected to
each of the two Houses of the General Assembly, and shall take effect from the date it is
enacted.