SENATE BILL 713

By: Senators Hough, Bailey, Carozza, Corderman, Eckardt, Edwards, Guzzone, Kelley, Ready, Salling, and Simonaire
Introduced and read first time: February 3, 2021
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

AN ACT concerning

Election Law – Theft or Destruction of Campaign Signs – Penalties

FOR the purpose of establishing penalties for the theft or malicious destruction of campaign signs; applying certain penalties to the theft or malicious destruction of campaign signs; and generally relating to the theft or malicious destruction of campaign signs.

BY adding to
Article – Election Law
Section 16–904
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 16–1001(b) and (c)
Annotated Code of Maryland
(2017 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 – Election Law

16–904.

(A) (1) A PERSON MAY NOT WILLFULLY AND MALICIOUSLY DESTROY,
INJURE, OR DEFACE A CAMPAIGN SIGN THAT IS ON ANOTHER PERSON’S PROPERTY.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR BOTH.

(B) (1) A PERSON MAY NOT WILLFULLY OR KNOWINGLY OBTAIN OR EXERT UNAUTHORIZED CONTROL OVER A CAMPAIGN SIGN, IF THE PERSON:

   (I) INTENDS TO DEPRIVE THE OWNER OF OWNERSHIP OF OR CONTROL OVER THE CAMPAIGN SIGN;

   (II) WILLFULLY OR KNOWINGLY USES, CONCEALS, OR ABANDONS THE CAMPAIGN SIGN IN A MANNER THAT DEPRIVES THE OWNER OF OWNERSHIP OF OR CONTROL OVER THE CAMPAIGN SIGN; OR

   (III) USES, CONCEALS, OR ABANDONS THE CAMPAIGN SIGN KNOWING THE USE, CONCEALMENT, OR ABANDONMENT WILL MOST LIKELY DEPRIVE THE OWNER OF OWNERSHIP OF OR CONTROL OVER THE CAMPAIGN SIGN.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE OF NOT MORE THAN $1,000 OR IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR BOTH.

(b) A person who is convicted of any criminal violation of this article shall be disqualified permanently from serving as an election judge, board member, or employee of a board.

(c) A candidate who is convicted of any practice prohibited by this article shall be ineligible to be elected or appointed to any public office or employment for a period of 5 years following the date of the conviction.

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