

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 298

(Senator Young, *et al.*)

Judicial Proceedings

Criminal Law - Threat Against Public Health Official or Hospital Staff Member

This emergency bill prohibits a person from knowingly and willfully making a “threat” to a “public health official” or “hospital staff member” with the intent to intimidate, interfere with, or impede a public health official or hospital staff member from performing official duties. The bill further prohibits a person from knowingly sending, delivering, parting with, or making for the purpose of sending or delivering a threat prohibited under the bill. Violators are guilty of a misdemeanor and subject to imprisonment for up to 90 days and/or a \$500 maximum fine.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues and expenditures due to the bill’s penalty provision. Enforcement can be handled with existing resources.

Local Effect: Potential minimal increase in local expenditures due to the bill’s incarceration penalty. Revenues are not affected. Enforcement can be handled with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: The bill defines “hospital staff member” to mean an individual who works in a hospital whose duties include the personal care or medical treatment of patients. A “public health official” is an individual employed by a State or local health department or agency.

For purposes of the bill, a “threat” is (1) an oral threat or (2) 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.

Additional Information

Prior Introductions: HB 1380 of 2021, a similar bill, was referred to the House Rules and Executive Nominations Committee, but no further action was taken. Its cross file, SB 957, was referred to the Senate Rules Committee, but no further action was taken.

Designated Cross File: HB 267 (Delegate K. Young, *et al.*) - Judiciary.

Information Source(s): Anne Arundel, Baltimore, Charles, Frederick, Montgomery, and Somerset counties; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Maryland Department of Health; Maryland Association of County Health Officers; Office of the Public Defender; Maryland State’s Attorneys’ Association; Department of Public Safety and Correctional Services; Department of Legislative Services

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