

HOUSE BILL 1296

E1

EMERGENCY BILL

3lr3094

By: **Delegate Mangione**

Introduced and read first time: February 28, 2023

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Public Utility Interference – Damage or Impairment by Firearm**
3 **or Destructive Device**

4 FOR the purpose of prohibiting a person from willfully using a firearm or destructive device
5 to destroy or damage, or obstruct, impede, or impair the service or transmission of,
6 a gasoline, natural gas, propane, or electric utility system owned or operated by a
7 gas company or an electric company; prohibiting a person from willfully aiding,
8 conspiring with, or employing another to violate this Act; and generally relating to
9 public utility interference.

10 BY adding to

11 Article – Criminal Law

12 Section 6–308

13 Annotated Code of Maryland

14 (2021 Replacement Volume and 2022 Supplement)

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

17 **Article – Criminal Law**

18 **6–308.**

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

21 **(2) “DESTRUCTIVE DEVICE” HAS THE MEANING STATED IN § 4–501 OF**
22 **THIS ARTICLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) "ELECTRIC COMPANY" HAS THE MEANING STATED IN § 1-101 OF**
2 **THE PUBLIC UTILITIES ARTICLE.**

3 **(4) "FIREARM" HAS THE MEANING STATED IN § 5-101 OF THE PUBLIC**
4 **SAFETY ARTICLE.**

5 **(5) "GAS COMPANY" HAS THE MEANING STATED IN § 1-101 OF THE**
6 **PUBLIC UTILITIES ARTICLE.**

7 **(6) "UTILITY SYSTEM" INCLUDES:**

8 **(I) POLES;**

9 **(II) CABLES;**

10 **(III) WIRES;**

11 **(IV) PIPELINES;**

12 **(V) STORAGE CONTAINERS;**

13 **(VI) FIXTURES; AND**

14 **(VII) ANY OTHER RELATED APPARATUS, EQUIPMENT, OR**
15 **APPLIANCES.**

16 **(B) THIS SECTION DOES NOT APPLY TO A PERSON ACTING WITH THE**
17 **AUTHORIZATION OR CONSENT OF THE RELEVANT GAS COMPANY OR ELECTRIC**
18 **COMPANY.**

19 **(C) A PERSON MAY NOT WILLFULLY:**

20 **(1) USE A FIREARM OR DESTRUCTIVE DEVICE TO DESTROY OR**
21 **DAMAGE, OR OBSTRUCT, IMPEDE, OR IMPAIR THE SERVICE OR TRANSMISSION OF, A**
22 **GASOLINE, NATURAL GAS, PROPANE, OR ELECTRIC UTILITY SYSTEM OWNED OR**
23 **OPERATED BY A GAS COMPANY OR AN ELECTRIC COMPANY; OR**

24 **(2) AID, CONSPIRE WITH, OR EMPLOY ANOTHER TO VIOLATE ITEM (1)**
25 **OF THIS SUBSECTION.**

26 **(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND**
27 **ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 25 YEARS.**

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