

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 311

(Senator Simonaire)

Judicial Proceedings

Government Officials' Family Protection Act of 2025

This bill adds an “immediate family member” of a State or local official, a deputy State’s Attorney, an assistant State’s Attorney, or an assistant public defender to the list of individuals against whom it is illegal to make specified types of threats under § 3-708 of the Criminal Law Article (threat against a State or local official). The bill specifically includes a parent, spouse, and child as immediate family members. A violator is guilty of a misdemeanor and subject to the existing penalty of imprisonment for up to three years and/or a \$2,500 maximum fine.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: None.

Analysis

Current Law: A person may not knowingly and willfully make a threat to take the life of, kidnap, or cause physical injury to a State official, a local official, a deputy State’s Attorney, an assistant State’s Attorney, or an assistant public defender. A person may not knowingly send, deliver, part with, or make for the purpose of sending or delivering a prohibited threat. A violator is guilty of a misdemeanor and subject to imprisonment for up three years and/or a \$2,500 maximum fine.

“Threat” includes (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.

“Local official” means an individual serving in a publicly elected office of a local government unit.

“State official” means a:

- constitutional officer or officer-elect in an executive unit;
- member or member-elect of the General Assembly;
- judge or judge-elect;
- judicial appointee;
- State’s Attorney;
- clerk of the circuit court;
- register of wills; or
- sheriff.

The Governor, Governor-elect, Lieutenant Governor, and Lieutenant Governor-elect are specifically included as State officials under this prohibition.

Additional Comments: The Maryland State Commission on Criminal Sentencing Policy advises that it received information for five individuals sentenced to eight counts under § 3-708 of the Criminal Law Article in the State’s circuit courts during fiscal 2024.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 1180 of 2024.

Designated Cross File: None.

Information Source(s): Anne Arundel, Charles, and Garrett counties; Maryland Association of Counties; Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - January 28, 2025
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