

HOUSE BILL 1054

E1

5lr1730

By: **Delegates Folden and Cluster**

Introduced and read first time: February 13, 2015

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Threat Against State or Local Official – Law Enforcement**
3 **Officer**

4 FOR the purpose of making it a misdemeanor to knowingly and willfully make a threat to
5 take the life of, kidnap, or cause physical injury to a law enforcement officer;
6 imposing certain penalties; defining a certain term; and generally relating to the
7 making of a threat against a law enforcement officer.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 3–708
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2014 Supplement)

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

15 **Article – Criminal Law**

16 3–708.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) **“LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN §**
19 **3–101 OF THE PUBLIC SAFETY ARTICLE.**

20 (3) **“Local official” means an individual serving in a publicly elected office**
21 **of a local government unit, as defined in § 10–101 of the State Government Article.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ~~[(3)](4)~~ (i) “State official” has the meaning stated in § 5–101 of the
2 General Provisions Article.

3 (ii) “State official” includes the Governor, Governor–elect,
4 Lieutenant Governor, and Lieutenant Governor–elect.

5 ~~[(4)](5)~~ “Threat” includes:

6 (i) an oral threat; or

7 (ii) a threat in any written form, whether or not the writing is signed,
8 or if the writing is signed, whether or not it is signed with a fictitious name or any other
9 mark.

10 (b) A person may not knowingly and willfully make a threat to take the life of,
11 kidnap, or cause physical injury to:

12 **(1)** a State official[.];

13 **(2)** a local official[.];

14 **(3)** a deputy State’s Attorney[.];

15 **(4)** an assistant State’s Attorney[, or];

16 **(5)** an assistant Public Defender; **OR**

17 **(6)** **A LAW ENFORCEMENT OFFICER.**

18 (c) A person may not knowingly send, deliver, part with, or make for the purpose
19 of sending or delivering a threat prohibited under subsection (b) of this section.

20 (d) A person who violates this section is guilty of a misdemeanor and on conviction
21 is subject to imprisonment not exceeding 3 years or a fine not exceeding \$2,500 or both.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2015.