

HOUSE BILL 1380

E1, J1

EMERGENCY BILL

1lr1896
CF SB 957

By: **Delegate K. Young**

Rules suspended

Introduced and read first time: March 3, 2021

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Threat Against Public Health Official**

3 FOR the purpose of prohibiting a person from making or sending a threat to a public health
4 official with a certain intent; establishing certain penalties for a violation of this Act;
5 defining certain terms; making this Act an emergency measure; and generally
6 relating to the prohibition against making or sending threats to public health
7 officials.

8 BY adding to

9 Article – Criminal Law

10 Section 3–708.1

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2020 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 **3–708.1.**

17 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
18 INDICATED.

19 (2) “PUBLIC HEALTH OFFICIAL” MEANS AN INDIVIDUAL EMPLOYED
20 BY A STATE OR LOCAL HEALTH DEPARTMENT OR AGENCY.

21 (3) “THREAT” MEANS:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) AN ORAL THREAT; OR**

2 **(II) A THREAT IN ANY WRITTEN FORM, WHETHER OR NOT THE**
3 **WRITING IS SIGNED, OR IF THE WRITING IS SIGNED, WHETHER OR NOT IT IS SIGNED**
4 **WITH A FICTITIOUS NAME OR ANY OTHER MARK.**

5 **(B) A PERSON MAY NOT KNOWINGLY AND WILLFULLY MAKE A THREAT TO A**
6 **PUBLIC HEALTH OFFICIAL WITH THE INTENT TO INTIMIDATE, INTERFERE WITH, OR**
7 **IMPEDE A PUBLIC HEALTH OFFICIAL FROM PERFORMING THE PUBLIC HEALTH**
8 **OFFICIAL'S OFFICIAL DUTIES.**

9 **(C) A PERSON MAY NOT KNOWINGLY SEND, DELIVER, PART WITH, OR MAKE**
10 **FOR THE PURPOSE OF SENDING OR DELIVERING A THREAT PROHIBITED UNDER**
11 **SUBSECTION (B) OF THIS SECTION.**

12 **(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**
13 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A**
14 **FINE NOT EXCEEDING \$500 OR BOTH.**

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