

# SENATE BILL 156

E1

(6lr1018)

## ENROLLED BILL

— *Judicial Proceedings/Judiciary* —

Introduced by **Senator Cassilly**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

#### 2 **Criminal Law – Participation in Court Proceedings – Retaliation**

3 FOR the purpose of prohibiting a person from retaliating against a juror or an officer of the  
4 court for any reason relating to the performance of official duties in a certain case in  
5 a court of the State or the United States; prohibiting a person from soliciting another  
6 to retaliate against a juror or an officer of the court for any reason relating to the  
7 performance of official duties in a certain case in a court of the State or the United  
8 States; applying certain penalties for an offense under this Act; and generally  
9 relating to retaliation for participation in court proceedings.

10 BY repealing and reenacting, with amendments,  
11 Article – Criminal Law  
12 Section 9–303  
13 Annotated Code of Maryland  
14 (2012 Replacement Volume and 2015 Supplement)

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



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

3 **Article – Criminal Law**

4 9–303.

5 (a) A person may not intentionally harm another, threaten to harm another, or  
6 damage or destroy property with the intent of retaliating against:

7 (1) a victim or witness for:

8 [(1)] (I) giving testimony in an official proceeding; or

9 [(2)] (II) reporting a crime or delinquent act;

10 (2) A JUROR FOR ANY REASON RELATING TO THE PERFORMANCE OF  
11 THE JUROR’S OFFICIAL DUTIES IN A PENDING OR COMPLETED CASE IN A COURT OF  
12 THE STATE OR THE UNITED STATES; OR

13 (3) AN OFFICER OF THE COURT OF THE STATE OR THE UNITED  
14 STATES FOR ANY REASON RELATING TO THE PERFORMANCE OF THE OFFICER’S  
15 OFFICIAL DUTIES IN A PENDING OR COMPLETED CASE.

16 (b) A person may not solicit another person to intentionally harm another,  
17 threaten to harm another, or damage or destroy property with the intent of retaliating  
18 against:

19 (1) a victim or witness for:

20 [(1)] (I) giving testimony in an official proceeding; or

21 [(2)] (II) reporting a crime or delinquent act;

22 (2) A JUROR FOR ANY REASON RELATING TO THE PERFORMANCE OF  
23 THE JUROR’S OFFICIAL DUTIES IN A PENDING OR COMPLETED CASE IN A COURT OF  
24 THE STATE OR THE UNITED STATES; OR

25 (3) AN OFFICER OF THE COURT OF THE STATE OR THE UNITED  
26 STATES FOR ANY REASON RELATING TO THE PERFORMANCE OF THE OFFICER’S  
27 OFFICIAL DUTIES IN A PENDING OR COMPLETED CASE.

1 (c) (1) Except as provided in paragraph (2) of this subsection, a person who  
2 violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment  
3 not exceeding 5 years or a fine not exceeding \$5,000 or both.

4 (2) If the official proceeding or report described in subsection (a) of this  
5 section relates to a felonious violation of Title 5 of this article or the commission of a crime  
6 of violence as defined in § 14–101 of this article, or a conspiracy or solicitation to commit  
7 such a crime, a person who violates this section is guilty of a felony and on conviction is  
8 subject to imprisonment not exceeding 20 years.

9 (d) A sentence imposed under this section may be separate from and consecutive  
10 to or concurrent with a sentence for any crime based on the act establishing the violation  
11 of this section.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2016.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.