

SENATE BILL 993

E1

7lr3578
CF 7lr3058

By: **Senator Mathias**

Introduced and read first time: February 3, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of including correctional officers and law enforcement officers within the
5 scope of certain prohibitions against making or delivering threats to commit certain
6 crimes against certain State and local officials; defining certain terms; and generally
7 relating to threats against State and local officials.

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 2016 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) **“CORRECTIONAL OFFICER” HAS THE MEANING STATED IN § 8–201**
19 **OF THE CORRECTIONAL SERVICES ARTICLE.**

20 (3) **“LAW ENFORCEMENT OFFICER” HAS THE MEANING STATED IN §**
21 **3–201 OF THIS TITLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ~~[(2)] (4)~~ “Local official” means an individual serving in a publicly elected
2 office of a local government unit, as defined in § 10–101 of the State Government Article.

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

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

7 ~~[(4)] (6)~~ “Threat” includes:

8 (i) an oral threat; or

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

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

14 (1) a State official[.];

15 (2) a local official[.];

16 (3) a deputy State’s Attorney[.];

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

18 (5) an assistant Public Defender;

19 (6) **A CORRECTIONAL OFFICER; OR**

20 (7) **A LAW ENFORCEMENT OFFICER.**

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

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

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2017.