

# HOUSE BILL 1695

E1  
HB 41/08 – JUD

8lr3689

---

By: **Delegate Chang**

Introduced and read first time: February 15, 2018

Assigned to: Rules and Executive Nominations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Hate Crimes – Use of a Noose or Swastika to Threaten or Intimidate**

3 FOR the purpose of prohibiting a person from affixing, erecting, or placing a noose or  
4 swastika on any building or real property, without the express permission of the  
5 owner of the building or property, the owner's agent, or a lawful occupant, with the  
6 intent to threaten or intimidate any person or group of persons; establishing that a  
7 certain penalty applies to a violation of this Act; and generally relating to the use of  
8 a noose or swastika to threaten or intimidate a person or group of persons.

9 BY adding to

10 Article – Criminal Law  
11 Section 10–305.1  
12 Annotated Code of Maryland  
13 (2012 Replacement Volume and 2017 Supplement)

14 BY repealing and reenacting, without amendments,

15 Article – Criminal Law  
16 Section 10–306  
17 Annotated Code of Maryland  
18 (2012 Replacement Volume and 2017 Supplement)

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

21 **Article – Criminal Law**

22 **10–305.1.**

23 **A PERSON MAY NOT AFFIX, ERECT, OR PLACE A NOOSE OR SWASTIKA ON A**  
24 **BUILDING OR REAL PROPERTY, PUBLIC OR PRIVATE, WITHOUT THE EXPRESS**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 PERMISSION OF THE OWNER, OWNER'S AGENT, OR LAWFUL OCCUPANT OF THE  
2 BUILDING OR REAL PROPERTY, WITH THE INTENT TO THREATEN OR INTIMIDATE  
3 ANY PERSON OR GROUP OF PERSONS.

4 10-306.

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

8 (b) (1) A person who violates § 10-304(2)(i) of this subtitle is guilty of a felony  
9 and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding  
10 \$10,000 or both.

11 (2) A person who violates § 10-304(2)(ii) of this subtitle is guilty of a felony  
12 and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding  
13 \$20,000 or both.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2018.