

HOUSE BILL 267

E1, J1
HB 1380/21 – HRU

EMERGENCY BILL

2lr0979
CF 2lr0980

By: **Delegates K. Young, Belcastro, Forbes, Healey, Kerr, J. Lewis, McComas, Palakovich Carr, Reznik, and Ruth**

Introduced and read first time: January 13, 2022

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Threat Against Public Health Official or Hospital Staff Member**

3 FOR the purpose of prohibiting a person from making or sending a threat to a public health
4 official or hospital staff member with a certain intent; and generally relating to the
5 prohibition against making or sending threats to public health officials and hospital
6 staff members.

7 BY adding to

8 Article – Criminal Law

9 Section 3–708.1

10 Annotated Code of Maryland

11 (2021 Replacement Volume and 2021 Supplement)

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

14 **Article – Criminal Law**

15 **3–708.1.**

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

18 (2) “HOSPITAL STAFF MEMBER” MEANS AN INDIVIDUAL WHO WORKS
19 IN A HOSPITAL WHOSE DUTIES INCLUDE THE PERSONAL CARE OR MEDICAL
20 TREATMENT OF PATIENTS.

21 (3) “PUBLIC HEALTH OFFICIAL” MEANS AN INDIVIDUAL EMPLOYED
22 BY A STATE OR LOCAL HEALTH DEPARTMENT OR AGENCY.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(4) "THREAT" MEANS:

(I) AN ORAL THREAT; OR

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

(B) A PERSON MAY NOT KNOWINGLY AND WILLFULLY MAKE A THREAT TO A PUBLIC HEALTH OFFICIAL OR HOSPITAL STAFF MEMBER WITH THE INTENT TO INTIMIDATE, INTERFERE WITH, OR IMPEDE A PUBLIC HEALTH OFFICIAL OR HOSPITAL STAFF MEMBER FROM PERFORMING OFFICIAL DUTIES.

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

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

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