

HOUSE BILL 1218

E1
HB 1201/09 – JUD

0lr1041

By: **Delegates Ramirez, Ali, Barnes, Kaiser, Levy, Robinson, and Valderrama**
Introduced and read first time: February 18, 2010
Assigned to: Judiciary

Committee Report: Favorable
House action: Adopted
Read second time: March 21, 2010

CHAPTER _____

- 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 a certain building or real property, without the express permission
5 of the owner, owner’s agent, or lawful occupant of the building or property, with
6 the intent to threaten or intimidate any person or group of persons; establishing
7 that a certain penalty applies to a violation of this Act; and generally relating to
8 the use of a noose or swastika to threaten or intimidate a person or group of
9 persons.
- 10 BY adding to
11 Article – Criminal Law
12 Section 10–305.1
13 Annotated Code of Maryland
14 (2002 Volume and 2009 Supplement)
- 15 BY repealing and reenacting, without amendments,
16 Article – Criminal Law
17 Section 10–306
18 Annotated Code of Maryland
19 (2002 Volume and 2009 Supplement)
- 20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

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.



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Article – Criminal Law

2 10-305.1.

3 A PERSON MAY NOT AFFIX, ERECT, OR PLACE A NOOSE OR SWASTIKA ON A
4 BUILDING OR REAL PROPERTY, PUBLIC OR PRIVATE, WITHOUT THE EXPRESS
5 PERMISSION OF THE OWNER, OWNER’S AGENT, OR LAWFUL OCCUPANT OF THE
6 BUILDING OR REAL PROPERTY, WITH THE INTENT TO THREATEN OR INTIMIDATE
7 ANY PERSON OR GROUP OF PERSONS.

8 10-306.

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

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

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

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.