

HOUSE BILL 493

E1

6lr1994
CF SB 178

By: **Delegates Morales, Smith, Anderson, Atterbeary, Carr, Carter, Conaway, Cullison, Dumais, Fennell, Fraser-Hidalgo, Gutierrez, Healey, Hill, Jackson, Krimm, Lierman, Luedtke, McCray, Moon, Pena-Melnyk, Platt, Proctor, S. Robinson, Sanchez, Sydnor, Tarlau, Valentino-Smith, Vallario, Waldstreicher, A. Washington, M. Washington, and Zucker**

Introduced and read first time: February 1, 2016

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 13, 2016

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Extortion – Immigration Status**

3 FOR the purpose of prohibiting a person from committing a certain act of extortion by
4 wrongful use of actual or threatened notification of law enforcement officials about
5 another person’s undocumented or illegal immigration status; and generally relating
6 to extortion.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Law
9 Section 3–701
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2015 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 3–701.

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.



1 (a) This section does not apply to legitimate efforts by employees or their
2 representatives to obtain certain wages, hours, or working conditions.

3 (b) A person may not obtain, attempt to obtain, or conspire to obtain money,
4 property, labor, services, or anything of value from another person with the person's
5 consent, if the consent is induced by wrongful use of actual or threatened:

6 (1) force or violence;

7 (2) economic injury; [or]

8 (3) destruction, concealment, removal, confiscation, or possession of any
9 immigration or government identification document with intent to harm the immigration
10 status of another person; OR

11 **(4) NOTIFICATION OF LAW ENFORCEMENT OFFICIALS ABOUT**
12 **ANOTHER PERSON'S UNDOCUMENTED OR ILLEGAL IMMIGRATION STATUS.**

13 (c) (1) If the value of the property, labor, or services is at least \$1,000 but less
14 than \$10,000, a person who violates this section is guilty of the felony of extortion and on
15 conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000
16 or both.

17 (2) If the value of the property, labor, or services is at least \$10,000 but less
18 than \$100,000, a person who violates this section is guilty of the felony of extortion and on
19 conviction is subject to imprisonment not exceeding 15 years or a fine not exceeding \$15,000
20 or both.

21 (3) If the value of the property, labor, or services is \$100,000 or more, a
22 person who violates this section is guilty of the felony of extortion and on conviction is
23 subject to imprisonment not exceeding 25 years or a fine not exceeding \$25,000 or both.

24 (d) If the value of the property, labor, or services is less than \$1,000, a person who
25 violates this section is guilty of the misdemeanor of extortion and on conviction is subject
26 to imprisonment not exceeding 18 months or a fine not exceeding \$1,000 or both.

27 (e) A prosecution for a felony under this section shall be instituted within 5 years
28 after the crime was committed.

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