

HOUSE BILL 128

E1

4lr0412

(PRE-FILED)

By: **Delegates Rosenberg and Kipke**

Requested: July 3, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Interfering With a Legislative Proceeding**

3 FOR the purpose of prohibiting a person from intentionally taking certain actions, or
4 intentionally soliciting another person to take certain actions, against a witness to
5 affect testimony offered to a legislative body in a legislative proceeding; and
6 generally relating to a prohibition against interfering with a legislative proceeding.

7 BY adding to

8 Article – Criminal Law

9 Section 9–901 through 9–903 to be under the new subtitle “Subtitle 9. Interfering
10 With a Legislative Proceeding”

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2023 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 **SUBTITLE 9. INTERFERING WITH A LEGISLATIVE PROCEEDING.**

17 **9–901.**

18 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
19 **INDICATED.**

20 **(B) “LEGISLATIVE BODY” MEANS:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) A COMMITTEE, AS DESCRIBED IN SUBTITLES 4 THROUGH 10, 10A, AND 11 OF THE STATE GOVERNMENT ARTICLE; AND

(2) A TASK FORCE OR WORKGROUP ESTABLISHED BY STATUTE TO STUDY AN ISSUE AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY.

(C) "LEGISLATIVE PROCEEDING" MEANS A MEETING OF A LEGISLATIVE BODY, REGARDLESS OF WHETHER:

(1) THE MEETING IS A HEARING OR PRESENTATION;

(2) A QUORUM OF THE LEGISLATIVE BODY IS PRESENT; OR

(3) THE GENERAL ASSEMBLY IS IN SESSION.

(D) "TESTIMONY" INCLUDES:

(1) WRITTEN TESTIMONY SUBMITTED TO A LEGISLATIVE BODY; AND

(2) PRESENTATION MATERIAL OFFERED DURING A LEGISLATIVE PROCEEDING.

(E) "WITNESS" MEANS A PERSON WHO TESTIFIES IN A LEGISLATIVE PROCEEDING.

9-902.

(A) A PERSON MAY NOT HARM ANOTHER, THREATEN TO HARM ANOTHER, OR DAMAGE OR DESTROY PROPERTY WITH THE INTENT TO:

(1) INFLUENCE A WITNESS TO OFFER FALSE TESTIMONY TO, OR WITHHOLD TESTIMONY FROM, A LEGISLATIVE BODY; OR

(2) INDUCE A WITNESS TO BE ABSENT FROM A LEGISLATIVE PROCEEDING.

(B) A PERSON MAY NOT SOLICIT ANOTHER PERSON TO HARM ANOTHER, THREATEN TO HARM ANOTHER, OR DAMAGE OR DESTROY PROPERTY WITH THE INTENT TO:

(1) INFLUENCE A WITNESS TO OFFER FALSE TESTIMONY TO, OR WITHHOLD TESTIMONY FROM, A LEGISLATIVE BODY; OR

1 **(2) INDUCE A WITNESS TO BE ABSENT FROM A LEGISLATIVE**
2 **PROCEEDING.**

3 **(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**
4 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR**
5 **A FINE NOT EXCEEDING \$5,000 OR BOTH.**

6 **(D) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM**
7 **AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED**
8 **ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.**

9 **9-903.**

10 **(A) A PERSON MAY NOT INTENTIONALLY HARM ANOTHER, THREATEN TO**
11 **HARM ANOTHER, OR DAMAGE OR DESTROY PROPERTY WITH THE INTENT OF**
12 **RETALIATING AGAINST A WITNESS FOR GIVING TESTIMONY IN A LEGISLATIVE**
13 **PROCEEDING.**

14 **(B) A PERSON MAY NOT SOLICIT ANOTHER PERSON TO INTENTIONALLY**
15 **HARM ANOTHER, THREATEN TO HARM ANOTHER, OR DAMAGE OR DESTROY**
16 **PROPERTY WITH THE INTENT OF RETALIATING AGAINST A WITNESS FOR OFFERING**
17 **TESTIMONY IN A LEGISLATIVE PROCEEDING.**

18 **(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR**
19 **AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR**
20 **A FINE NOT EXCEEDING \$5,000 OR BOTH.**

21 **(D) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM**
22 **AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED**
23 **ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2024.