

CHAPTER 386

(House Bill 1249)

AN ACT concerning

**Criminal Law - Prohibition on Prerecorded Emergency Messages -
Exceptions**

FOR the purpose of altering and providing exceptions to the prohibition on using a device that dials by remote control a preprogrammed telephone number and transmits a prerecorded message communicating an existing emergency condition without certain approval; and generally relating to prerecorded emergency messages.

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 9-603

Annotated Code of Maryland

(2002 Volume and 2005 Supplement)

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

Article - Criminal Law

9-603.

(a) ~~A EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION.~~ A person may not [attach] USE a device [to a telephone or telephone line] that dials by remote control a preprogrammed TELEPHONE number and transmits a prerecorded message communicating an existing emergency condition, including fire, illness, or crime, without written approval for the use of the device from the holder of the number dialed UNLESS,

~~(1) THE PERSON IS CONDUCTING AN OFFICIAL INVESTIGATION OF A MISSING CHILD OR A VULNERABLE ADULT AND IS;~~

~~(I) A LAW ENFORCEMENT OFFICIAL OF THE UNITED STATES, THE STATE, A COUNTY, A MUNICIPAL CORPORATION, OR OTHER POLITICAL SUBDIVISION OR UNIT OF THE STATE;~~

~~(II) A SHERIFF OR FULL-TIME ASSISTANT OR DEPUTY SHERIFF OF THE STATE; OR~~

~~(III) A TEMPORARY OR PART-TIME DEPUTY SHERIFF; OR~~

~~(2) THE PERSON IS A THIRD PARTY THAT IS SPECIFICALLY ASKED OR DIRECTED TO TRANSMIT THE MESSAGE BY A PERSON LISTED UNDER PARAGRAPH (1) OF THIS SUBSECTION IN CONJUNCTION WITH A LEGITIMATE INCIDENT OR ISSUE RELATED TO LAW ENFORCEMENT.~~