

Annotated Code of Maryland  
(2002 Volume and 2004 Supplement)

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

**Article - Criminal Law**

4-501.

(e) (1) "Toxic material" means material that is capable of causing death or serious bodily injury almost immediately on being absorbed through the skin, inhaled, or ingested.

(2) "Toxic material" includes:

(i) nerve gas, mustard gas, cyanide gas, chlorine gas, sulphuric acid, or their precursors; and

(ii) a biological substance containing a disease organism or microorganism.

9-505.

(a) A person may not manufacture, possess, transport, or place ~~A SUBSTANCE THAT REPRESENTS:~~

(1) A DEVICE OR CONTAINER THAT IS LABELED AS CONTAINING OR IS INTENDED TO REPRESENT A TOXIC MATERIAL, AS DEFINED IN § 4-501 OF THIS ARTICLE, OR WITH THE INTENT TO TERRORIZE, FRIGHTEN, INTIMIDATE, THREATEN, OR HARASS; OR

(2) a device that is constructed to represent a destructive device, as defined in § 4-501 of this article, with the intent to terrorize, frighten, intimidate, threaten, or harass.

(b) A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 10 years or a fine not exceeding \$10,000 or both.

(c) (1) In addition to the penalty provided in subsection (b) of this section, a person convicted or found to have committed a delinquent act under this section may be ordered by the court to pay restitution to:

(i) the State, county, municipal corporation, bicounty unit, or special taxing district for actual costs reasonably incurred in responding to a location and searching for and removing of ~~A SUBSTANCE THAT REPRESENTS~~ DEVICE OR CONTAINER THAT IS LABELED AS CONTAINING OR IS INTENDED TO REPRESENT A TOXIC MATERIAL OR a device constructed to represent a destructive device; and

(ii) the owner or tenant of a property for the actual value of any goods, services, or income lost as a result of the evacuation of the property in response to ~~A SUBSTANCE THAT REPRESENTS~~ DEVICE OR CONTAINER THAT IS LABELED AS