

~~Section 4-301(b)(17) and (18) and 4-302(d)(1)~~

~~Annotated Code of Maryland~~

~~(2002 Replacement Volume)~~

BY adding to

~~Article - Courts and Judicial Proceedings~~

~~Section 4-301(b)(19)~~

~~Annotated Code of Maryland~~

~~(2002 Replacement Volume)~~

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

**Article - Criminal Law**

3-802.

(a) In this section, "stalking" means a malicious course of conduct that includes approaching or pursuing another [with the intent to place that individual] WHERE THE PERSON INTENDS TO PLACE OR KNOWS OR REASONABLY SHOULD HAVE KNOWN THE CONDUCT WOULD PLACE ANOTHER in reasonable fear OF:

- (1) (I) [of] serious bodily [injury] HARM;
- (II) AN ASSAULT IN ANY DEGREE;
- (III) RAPE OR SEXUAL OFFENSE AS DEFINED BY §§ 3-303 THROUGH 3-308 OF THIS ARTICLE OR ATTEMPTED RAPE OR SEXUAL OFFENSE IN ANY DEGREE;
- (IV) FALSE IMPRISONMENT; or
- (V) death; or

(2) that a third person likely will suffer [serious bodily injury or death] ANY OF THE ACTS LISTED IN PARAGRAPH (1) OF THIS SUBSECTION.

(B) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO CONDUCT THAT IS:

- (1) PERFORMED TO ENSURE COMPLIANCE WITH A COURT ORDER;
- (2) PERFORMED TO CARRY OUT A SPECIFIC LAWFUL COMMERCIAL PURPOSE; OR
- (3) IS AUTHORIZED, REQUIRED, OR PROTECTED BY STATE LOCAL, STATE, OR FEDERAL LAW.

~~(b)~~ (C) A person may not engage in stalking.

~~(e)~~ (D) A person who violates this section is guilty of a [misdemeanor] FELONY and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both.