

imprisonment for consistency within subsection (c), which provides for a fine, imprisonment, "or both".

Defined term: "Person" § 1-101

3-702. EXTORTION BY STATE OR LOCAL GOVERNMENT OFFICER OR EMPLOYEE.

(A) PROHIBITED.

AN OFFICER OR EMPLOYEE OF THE STATE OR OF A COUNTY, MUNICIPAL CORPORATION, BICOUNTY AGENCY, OR MULTICOUNTY AGENCY MAY NOT WRONGFULLY OBTAIN OR ATTEMPT TO OBTAIN MONEY, PROPERTY, OR ANYTHING OF VALUE FROM A PERSON WITH THE PERSON'S CONSENT, IF THE CONSENT IS OBTAINED UNDER COLOR OR PRETENSE OF OFFICE, UNDER COLOR OF OFFICIAL RIGHT, OR BY WRONGFUL USE OF ACTUAL OR THREATENED FORCE OR VIOLENCE.

(B) PENALTY — PROPERTY VALUE GREATER THAN \$500.

IF THE VALUE OF THE PROPERTY IS GREATER THAN \$500, A PERSON WHO VIOLATES THIS SECTION:

(1) IS GUILTY OF THE FELONY OF EXTORTION AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH; AND

(2) NOTWITHSTANDING ANY PARDON, SHALL BE BARRED PERMANENTLY FROM EMPLOYMENT BY THE STATE OR BY A COUNTY, MUNICIPAL CORPORATION, BICOUNTY AGENCY, OR MULTICOUNTY AGENCY.

(C) SAME — PROPERTY VALUE OF \$500 OR LESS.

IF THE VALUE OF THE PROPERTY IS \$500 OR LESS, A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE MISDEMEANOR OF EXTORTION AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 6 MONTHS OR A FINE NOT EXCEEDING \$500 OR BOTH.

(D) LIMITATION.

A PROSECUTION FOR A FELONY UNDER THIS SECTION SHALL BE INSTITUTED WITHIN 5 YEARS AFTER THE CRIME WAS COMMITTED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 562C.

Subsection (a) of this section is revised to incorporate the substance of the definition of "extortion" contained in the third sentence of former Art. 27, § 562C. That definition was unnecessary because it was used only once in the former law.

In subsections (a) and (b)(2) of this section, the term "municipal corporation" is substituted for the former references to a "municipality" to conform to the usage of Md. Constitution, Art. XI-E.

In subsection (a) of this section, the phrase "by wrongful use of actual or