

In subsections (a), (b)(2) and (3), (c), and (g)(1) of this section, the references to an "individual" are substituted for the former references to a "person" because only an individual and not the other entities included in the defined term "person" may be observed by visual surveillance. See § 1-101 of this article.

In subsection (b)(1) of this section, the reference to a "private residence located on real property where a camera is placed" is added for clarity.

In subsection (b)(4) of this section, the former reference to a law enforcement officer while performing "the officer's" official duties is deleted as implicit.

In subsection (e) of this section, the qualification "[s]ubject to subsection (b)(1) of this section," is added for clarity.

Also in subsection (e) of this section, the reference to the "defendant" is substituted for the former reference to the "person charged" for accuracy.

In subsection (g) of this section, the former reference to a person "in a private residence" is deleted as included in the reference to an individual "observed ... in violation of this section" in light of the fact that a violation of this section requires observation of an individual "inside the private residence".

In subsection (h) of this section, the reference to a right or remedy otherwise "provided by law" is substituted for the former reference to a right or remedy otherwise "available by common law or statute" for brevity.

Also in subsection (h) of this section, the former reference to "abrogat[ion] ... in any way" is deleted for brevity.

Defined term: "Person" § 1-101

3-904. UNLAWFUL PICKETING AND ASSEMBLY.

(A) LEGISLATIVE POLICY.

THE GENERAL ASSEMBLY DECLARES THAT:

(1) THE PROTECTION AND PRESERVATION OF THE HOME IS THE KEYSTONE OF DEMOCRATIC GOVERNMENT;

(2) THE PUBLIC HEALTH AND WELFARE AND THE GOOD ORDER OF THE COMMUNITY REQUIRE THAT MEMBERS OF THE COMMUNITY ENJOY IN THEIR HOMES A FEELING OF WELL-BEING, TRANQUILITY, AND PRIVACY AND, WHEN ABSENT FROM THEIR HOMES, CARRY WITH THEM THE SENSE OF SECURITY INHERENT IN THE ASSURANCE THAT THEY MAY RETURN TO THE ENJOYMENT OF THEIR HOMES;

(3) THE PRACTICE OF PICKETING BEFORE OR ABOUT RESIDENCES AND DWELLING PLACES CAUSES EMOTIONAL DISTURBANCE AND DISTRESS TO THE OCCUPANTS;