

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.

Approved May 21, 1998.

CHAPTER 668

(House Bill 140)

AN ACT concerning

Crimes - Electronic Mail Misuse - Penalties

FOR the purpose of prohibiting a person from using electronic mail in a certain manner ~~and with a certain intent~~ under certain circumstances; providing a certain exception; providing certain penalties; defining a certain term; and generally relating to the misuse of electronic mail.

BY adding to

Article 27 - Crimes and Punishments

Section 555C to be under the amended subheading "Telephone and Electronic Mail Misuse"

Annotated Code of Maryland

(1996 Replacement Volume and 1997 Supplement)

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

Article 27 - Crimes and Punishments

Telephone AND ELECTRONIC MAIL Misuse

555C.

(A) IN THIS SECTION, "ELECTRONIC MAIL" MEANS ~~A COMMUNICATION OR MESSAGE SENT TO A SPECIFIC PERSON OR PERSONS THROUGH THE USE OF A COMPUTER AND INTENDED TO BE RECEIVED BY A COMPUTER~~ THE TRANSMISSION OF INFORMATION OR A COMMUNICATION BY THE USE OF A COMPUTER OR OTHER ELECTRONIC MEANS SENT TO A PERSON IDENTIFIED BY A UNIQUE ADDRESS AND RECEIVED BY THAT PERSON.

(B) THIS SECTION DOES NOT APPLY TO ANY PEACEABLE ACTIVITY INTENDED TO EXPRESS POLITICAL VIEWS OR PROVIDE INFORMATION TO OTHERS.

~~(B)~~ (C) A PERSON MAY NOT USE ELECTRONIC MAIL:

~~(1) FOR AN ANONYMOUS COMMUNICATION IF IN A MANNER REASONABLY TO BE EXPECTED TO ANNOY, ABUSE, TORMENT, HARASS, OR EMBARRASS ONE OR MORE PERSONS; OR~~