



Senate Bill 790

Criminal Law - Executive or Legislative Proceedings - Obstruction

MACo Position: **SUPPORT WITH
AMENDMENTS**

To: Judicial Proceedings Committee

Date: March 8, 2022

From: Dominic J. Butchko and Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS SB 790 WITH AMENDMENTS**. Current law protects the official proceedings of state courts from interference or impediment. SB 790, as written, would extend those protections to the state's executive and legislative branches. MACo seeks an amendment to extend this provision to apply to local governing bodies.

This bill would make it a misdemeanor to seek to impede the business of the executive or legislative branches through threat, force, or corrupt means. Current law already imposes this standard for interference of court proceedings and SB 790 further recognizes the importance of governing bodies conducting public affairs. The bill does not apply to mere dissent, debate, or opposition to policies, but to a higher standard of actual interference.

The rationale for the bill applies equally to local governing bodies and their own proceedings. MACo requests amendment language to add local governing bodies to this section of state law.

SB 790 seeks to protect the proceeding of the state executive or legislative branches. An amendment could reasonably extend this same protection to local government proceedings as well. Accordingly, MACo requests a **FAVORABLE WITH AMENDMENTS** report on SB 790.