

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 177

(Senator West)

Judicial Proceedings

Judiciary

Criminal Law - Obstruction or Interference With Exercise of Religious Beliefs - Prohibition

This bill prohibits a person from using force, threat of force, or physical obstruction to interfere with or physically injure another person while the other person is lawfully exercising or attempting to exercise the right of religious freedom under the First Amendment of the U.S. Constitution at a place of religious worship. A violator is guilty of a misdemeanor and on conviction subject to a penalty of imprisonment for up to 90 days and/or a \$1,000 maximum fine.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: The bill is not anticipated to materially affect local finances or operations.

Small Business Effect: None.

Analysis

Current Law:

Disturbing the Peace and Disorderly Conduct – § 10-201 of the Criminal Law Article

Section 10-201 of the Criminal Law Article contains a variety of prohibitions that constitute disturbing the peace and disorderly conduct.

Generally, a person may not (1) willfully and without lawful purpose obstruct or hinder the free passage of another in a public place or on a public conveyance; (2) willfully act in a disorderly manner that disturbs the public peace; or (3) willfully fail to obey a reasonable and lawful order that a law enforcement officer makes to prevent a disturbance to the public peace.

A person who enters the land or premises of another or a beach, as specified, may not willfully act in a disorderly manner or disturb the peace of persons on the land, premises, or beach by making an unreasonably loud noise. Additionally, a person from any location may not, by making an unreasonably loud noise, willfully disturb the peace of another on the other's land or premises, in a public place, or on a public conveyance.

Violators are guilty of a misdemeanor, punishable by imprisonment for up to 60 days and/or a maximum fine of \$500.

“Public place” means a place to which the public or a portion of the public has access and a right to resort for business, dwelling, entertainment, or other lawful purpose. Places of public worship, educational institutions, and public streets, sidewalks, and rights of way are specifically included as public places under § 10-201.

“Public conveyance” means a conveyance to which the public or a portion of the public has access to and a right to use for transportation, including specified modes of transportation. For purposes of a prosecution, a public conveyance or a public place need not be devoted solely to public use.

Obstruction of Entry to or Exit from a Funeral, Burial, Etc. – § 10-205 of the Criminal Law Article

A person may not knowingly obstruct, hinder, impede, or block another person's entry to or exit from a funeral, burial, memorial service, or funeral procession. A person also may not address speech to a person attending a funeral, burial, memorial service, or funeral procession that is likely to incite or produce an imminent breach of the peace. Section 10-205 also prohibits a person from engaging in picketing activity within 500 feet of a funeral, burial, memorial service, or funeral procession that is targeted at one or more persons attending the funeral, burial, memorial service, or funeral procession. These provisions do not apply to a person who conducts a funeral, burial, memorial service, or funeral procession. Violators are guilty of a misdemeanor and subject to imprisonment for up to 90 days and/or a \$1,000 maximum fine.

First-degree Assault

A person commits a first-degree assault if the person (1) intentionally causes or attempts to cause serious physical injury to another person; (2) commits an assault with a firearm, as specified; or (3) intentionally strangles another. A violator is guilty of a felony and subject to imprisonment for up to 25 years.

“Serious physical injury” means physical injury that (1) creates a substantial risk of death or (2) causes permanent or protracted serious disfigurement, loss of the function of any

bodily member or organ, or impairment of the function of any bodily member or organ. “Strangling” is defined as impeding the normal breathing or blood circulation of another person by applying pressure to the other person’s throat or neck.

Felony Second-degree Assault

A person commits a felony second-degree assault if they intentionally cause “physical injury” to another if they know or have reason to know that the other person is a (1) law enforcement officer or parole or probation agent engaged in the performance of the officer/agent’s official duties or (2) a firefighter, an emergency medical technician, a rescue squad member, or any other first responder engaged in providing emergency medical care or rescue services. “Physical injury” means any impairment of physical condition, excluding minor injuries. A violator is subject to imprisonment for up to 10 years and/or a maximum fine of \$5,000.

The District Court has concurrent jurisdiction with the circuit courts over felony second-degree assault cases.

Misdemeanor Second-degree Assault

The misdemeanor second-degree assault statute applies to assaults that are not considered to be felony assaults in the first or second degree. Under this statute, a person is prohibited from committing an assault. A violator is subject to imprisonment for up to 10 years and/or a maximum fine of \$2,500. Assault means the crimes of assault, battery, and assault and battery, which are defined through case law.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 750 (Delegate Rosenberg, *et al.*) - Judiciary.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Maryland State’s Attorneys’ Association; Department of Legislative Services

Fiscal Note History: First Reader - January 16, 2026
caw/aad Third Reader - March 18, 2026
Revised - Amendment(s) - March 18, 2026

Analysis by: Amanda L. Douglas

Direct Inquiries to:
(410) 946-5510
(301) 970-5510