Maryland

Overall Ranking: Top Tier

Maryland Research Facility Protection Law

**MD. CODE ANN., CRIM. LAW § 6-208 (2010). Breaking and entering a research facility.**

Definitions

(a)(1) In this section the following words have the meanings indicated.

(2)(i) “Enclosure” means a building, structure, aircraft, watercraft, or vehicle, and each:

1. separately secured or occupied portion of it; and

2. structure appurtenant or connected to it.

(ii) “Enclosure” includes a trailer and a sleeping car.

(3) “Research” means a studious and serious inquiry, examination, investigation, or experimentation designed to discover or accumulate data, theories, technologies, or applications for a governmental, scientific, educational, or proprietary purpose.
(4) “Research facility” means an enclosure or separately secured yard, pad, pond, laboratory, pasture, or pen used to conduct research, house research subjects, or store supplies, records, data, prototypes, or equipment necessary to or derived from research.

(5)(i) “Research property” means property, regardless of value, related to research in a research facility.

(ii) “Research property” includes a sample, specimen, research subject, record, data, test result, or proprietary information.

Prohibited

(b) A person may not break and enter a research facility without the permission of the research facility with the intent to:

(1) obtain unauthorized control over research property;

(2) alter or eradicate research property;

(3) damage or deface research property;

(4) move research property in a manner intended to cause harm to it;

(5) destroy or remove research property; or

(6) engage in conduct that results in the removal of research property.

Penalty

(c) A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding $5,000 or both.

Maryland Animal Cruelty Law


Sections 10-601 through 10-608 of this subtitle do not apply to:

(1) customary and normal veterinary and agricultural husbandry practices including dehorning, castration, tail
(2) research conducted in accordance with protocols approved by an animal care and use committee, as required under the federal Animal Welfare Act [FN1] or the federal Health Research Extension Act; [FN2]

(3) an activity that may cause unavoidable physical pain to an animal, including food processing, pest elimination, animal training, and hunting, if the person performing the activity uses the most humane method reasonably available; or

(4) normal human activities in which the infliction of pain to an animal is purely incidental and unavoidable.

Maryland Public Information Act


In general

(a)(1) Except as otherwise provided by law, a custodian shall permit a person or governmental unit to inspect any public record at any reasonable time.


Research projects

(d)(1) Subject to paragraph (2) of this subsection, a custodian may deny inspection of a public record that contains the specific details of a research project that an institution of the State or of a political subdivision is conducting.

(2) A custodian may not deny inspection of the part of a public record that gives only the name, title, expenditures, and date when the final project summary will be available.


“Reasonable fee” defined

(a) In this section, “reasonable fee” means a fee bearing a reasonable relationship to the recovery of actual costs incurred by a governmental unit.

In general

(b) Subject to the limitations in this section, the official custodian may charge an applicant a reasonable fee for the
search for, preparation of, and reproduction of a public record.

Limitation on search and preparation fees

(c) The official custodian may not charge a fee for the first 2 hours that are needed to search for a public record and prepare it for inspection.

Limitation on reproduction fees

(d)(1) If another law sets a fee for a copy, printout, or photograph of a public record, that law applies.

(2) The official custodian otherwise may charge any reasonable fee for making or supervising the making of a copy, printout, or photograph of a public record.

(3) The official custodian may charge for the cost of providing facilities for the reproduction of the public record if the custodian did not have the facilities.

Waiver

(e) The official custodian may waive a fee under this section if:

(1) the applicant asks for a waiver; and

(2) after consideration of the ability of the applicant to pay the fee and other relevant factors, the official custodian determines that the waiver would be in the public interest.

Maryland Harassment Law


In this subtitle, “course of conduct” means a persistent pattern of conduct, composed of a series of acts over time, that shows a continuity of purpose.


Prohibited

(a) A person may not follow another in or about a public place or maliciously engage in a course of conduct that
alarms or seriously annoys the other:

(1) with the intent to harass, alarm, or annoy the other;

(2) after receiving a reasonable warning or request to stop by or on behalf of the other; and

(3) without a legal purpose.

Exception

(b) This section does not apply to a peaceable activity intended to express a political view or provide information to others.

Penalty

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding $500 or both.


Prohibited

(a) A person may not use telephone facilities or equipment to make:

(1) an anonymous call that is reasonably expected to annoy, abuse, torment, harass, or embarrass another;

(2) repeated calls with the intent to annoy, abuse, torment, harass, or embarrass another; or

(3) a comment, request, suggestion, or proposal that is obscene, lewd, lascivious, filthy, or indecent.

Penalty

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding $500 or both.


“Electronic mail” defined

(a) In this section, “electronic mail” means the transmission of information or a communication by the use of a computer or other electronic means that is sent to a person identified by a unique address and that is received by the person.
Prohibited

(b) A person may not use electronic mail with the intent to harass:

(1) one or more persons; or

(2) by sending lewd, lascivious, or obscene material.

Construction of section

(c) It is not a violation of this section for any of the following persons to provide information, facilities, or technical assistance to another who is authorized by federal or State law to intercept or provide electronic mail or to conduct surveillance of electronic mail, if a court order directs the person to provide the information, facilities, or technical assistance:

(1) a provider of electronic mail;

(2) an officer, employee, agent, landlord, or custodian of a provider of electronic mail; or

(3) a person specified in a court order directing the provision of information, facilities, or technical assistance to another who is authorized by federal or State law to intercept or provide electronic mail or to conduct surveillance of electronic mail.

Exception

(d) This section does not apply to a peaceable activity intended to express a political view or provide information to others.

Penalty

(e) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding $500 or both.