

**A021 - 0809**

10 **AN ACT CONCERNING THE DECRIMINALIZATION OF SODOMY AND OTHER**  
20 **SEXUAL ACTS IN THE STATE OF MARYLAND**

30 FOR the purpose of repealing laws that are anachronistic, intrusive, and immoral.

40 BY repeal.

50 Article Criminal Law

60 Section 3-321, 2-322

70 Maryland Annotated Code (2008)

80 **SECTION 1: BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That the 90**  
Laws of Maryland read as follows:

100 §3-321.

110 ~~A person who is convicted of sodomy is guilty of a felony and is subject to imprisonment~~  
120 ~~not exceeding 10 years.~~

130 §3-322.

140 (a) A person may not:

- 150 (1) take the sexual organ ~~of another or~~ of an animal in the person's mouth;  
160 (2) place the person's sexual organ in the mouth ~~of another or~~ of an animal; or  
170 (3) commit another unnatural or perverted sexual practice ~~with another or~~ with 180  
an animal.

190 (b) A person who violates this section is guilty of a misdemeanor and on conviction is  
200 subject to imprisonment not exceeding 10 years or a fine not exceeding \$1,000  
210 or both.

220 (c) A person who violates this section is subject to § 5-106(b) of the Courts Article.

230 (d) An indictment for a violation of this section:

- 240 (1) is sufficient if it states that the defendant committed an unnatural and  
250 perverted sexual practice with ~~a person or~~ AN animal as applicable; but  
260 (2) need not state the particular:  
270 (i) unnatural or perverted sexual practice with which the defendant is 280  
charged; or  
290 (ii) manner in which the defendant committed the unnatural or  
300 perverted sexual practice.

310 **MANDATES:** Martin O'Malley, Governor of Maryland  
320 Anthony G. Brown, Lieutenant Governor of Maryland  
330 Thomas V. "Mike" Miller, Jr., President of the Maryland Senate  
340 Michael E. Busch, Speaker of the Maryland House of Delegates  
350 Edward J. Kasemeyer, Majority Leader of the Maryland Senate  
360 David R. Brinkley, Minority Leader of the Maryland Senate  
370 Joseph Vallario, Chairman, Judiciary Committee  
380 Brian Frosh, Chairman, Judicial Proceedings Committee

**SPONSOR:**

Andrew Horn, St. Mary's College of Maryland

**CO-SPONSOR(S):**

Lauren Payne, Delegation Chairperson, St. Mary's College of Maryland

Andrea Richardson, Secretary, St. Mary's College of Maryland  
Charles Onwuche, St. Mary's College of Maryland  
Christopher Ingraham, St. Mary's College of Maryland  
Amir Reda, St. Mary's College of Maryland  
Brian Kemmet, Governor's Political Liaison, Salisbury University