

§ 6-409. Refusal or failure to leave public building or grounds

Prohibited--During regularly closed hours

(a) A person may not refuse or fail to leave a public building or grounds, or a specific part of a public building or grounds, during the time when the public building or grounds, or specific part of the public building or grounds, is regularly closed to the public if:

- (1) the surrounding circumstances would indicate to a reasonable person that the person who refuses or fails to leave has no apparent lawful business to pursue at the public building or grounds; and
- (2) a regularly employed guard, watchman, or other authorized employee of the government unit that owns, operates, or maintains the public building or grounds asks the person to leave.

Prohibited--During regular business hours

(b) A person may not refuse or fail to leave a public building or grounds, or a specific part of a public building or grounds, during regular business hours if:

- (1) the surrounding circumstances would indicate to a reasonable person that the person who refuses or fails to leave:
 - (i) has no apparent lawful business to pursue at the public building or grounds; or
 - (ii) is acting in a manner disruptive of and disturbing to the conduct of normal business by the government unit that owns, operates, or maintains the public building or grounds; and
- (2) an authorized employee of the government unit asks the person to leave.

Penalty

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both.

Credits

Added by Acts 2002, c. 26, § 2, e0. Oct. 1, 2002.

Formerly Art. 27, § 578.

Editors' Notes

LEGISLATIVE NOTES

Revisor's Note (Acts 2002, c. 26):

This section is new language derived without substantive change from former Art. 27, § 578(a), (b), and (d).

In the introductory language of subsection (a) of this section, the reference to “the time” is substituted for the former reference to “those hours of the day or night” for brevity. In subsection (a)(1) and the introductory language of subsection (b)(1) of this section, the references to the person “who refuses or fails to leave” are added for clarity.

In subsections (a)(2) and (b)(1)(ii) and (2) of this section, the phrase “government unit” is substituted for the former phrase “public agency or institution” for consistency within this article. *See* General Revisor's Note to article.

In subsection (b)(1)(ii) of this section, the reference to “grounds” is substituted for the former reference to “property” for consistency within this section.

Defined term: “Person” § 1-101

HISTORICAL AND STATUTORY NOTES

Derivation:

Former Art. 27, § 578, related to failure to leave public buildings, repealed by Acts 2002, c. 26, § 1.

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