



MSBA Bill Report 5A - Criminal Law

(2024.02.14)

February 14, 2024

MD - HB1301 Wearing, Carrying, or Transporting Firearms Business Sign Posting Requirements

Last Action: Hearing 3/06 at 1:00 p.m. (February 10, 2024)

Primary Sponsor: Delegate Terry L. Baker (R)

Scheduled Hearing:

Judiciary (House)

Date: March 6, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Requiring a business that does not want firearms on the business's property to post a clear and conspicuous sign at the main or any secondary entrance of the business at least 24 inches from the edge of the entryway and 4 feet off the ground.

Statutes Amended:

4-111 Article - Criminal Law

MD - HB1310 Baltimore City Coordinated Youth Violence Review and Response Team

Last Action: Hearing 2/29 at 1:00 p.m. (February 10, 2024)

Primary Sponsor: Delegate Dalya Attar (D)

Scheduled Hearing:

Judiciary (House)

Date: February 29, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Establishing the Baltimore City Coordinated Youth Violence Review and Response Team to examine and prevent violence against youth through intensive case management; requiring that the review team be provided with access to certain information and records; establishing certain closed meeting, confidentiality, and disclosure requirements for certain information and records; etc.

Statutes Amended:

31-101,

31-111 Article - Local Government

MD - HB1311 Criminal Law - Obscene Material - Device Filters

Last Action: Hearing 3/05 at 1:00 p.m. (February 9, 2024)

Primary Sponsor: Delegate Susan K. McComas (R)

Scheduled Hearing:

Economic Matters (House)

Date: March 5, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 230, Annapolis, MD

Summary:

Requiring, beginning January 1, 2025, all devices activated in the State to enable a certain filter to prevent minors from accessing obscene material; prohibiting a certain person from deactivating the filter; providing that a manufacturer of a device and certain persons are subject to civil and criminal liability for certain conduct related to device filters; authorizing the Attorney General to take certain actions against persons who violate the Act; etc.

Statutes Amended:

11-203,

11-203.1 Article - Criminal Law

MD - HB1329 Division of Parole and Probation Private Home Detention Monitoring Earned Compliance Credits

Last Action: Hearing 3/07 at 1:00 p.m. (February 13, 2024)

Primary Sponsor: Delegate Dalya Attar (D)

Scheduled Hearing:

Judiciary (House)

Date: March 7, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Authorizing individuals under supervision by a private home detention monitoring agency to receive earned compliance credits; requiring a private home detention monitoring agency to provide a report of an individual's compliance to the Division of Parole and Probation during the monitoring period; and establishing certain minimum elements to be included in the report.

Statutes Amended:

20-401 Article - Business Occupations and Professions

6-117 Article - Correctional Services

MD - HB1332 Department of Public Safety and Correctional Services - Study on Location of Individuals Prior to and Following Incarceration

Last Action: Hearing 3/07 at 1:00 p.m. (February 13, 2024)

Primary Sponsor: Delegate William Valentine (R)

Scheduled Hearing:

Judiciary (House)

Date: March 7, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Requiring the Department of Public Safety and Correctional Services to conduct an annual study examining and comparing certain data regarding an individual's residence prior to incarceration and on release from a State correctional facility; and requiring the Department by October 1, 2025 and each October 1 thereafter, to report the results of the study to certain committees of the General Assembly.

Cross-filed Bill: SB860

Statutes Amended:

9-618 Article - Correctional Services

[MD - HB1335 Reckless and Negligent Driving - Death of Another - Must-Appear Violation \(Sherry's and Christian's Law\)](#)

Last Action: Hearing 3/06 at 1:00 p.m. (February 10, 2024)

Primary Sponsor: Delegate Kathy Szeliga (R)

Scheduled Hearing:

Judiciary (House)

Date: March 6, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Providing that a person charged with reckless or negligent driving must appear in court and may not prepay the fine if the reckless or negligent driving contributed to an accident that resulted in the death of another person, unless a court for good cause shown waives the requirement to appear.

Cross-filed Bill: SB68

[MD - HB1346 Competency Evaluations and Commitment Orders - Modification](#)

Last Action: Hearing 3/05 at 1:00 p.m. (February 13, 2024)

Primary Sponsor: Delegate Luke Clippinger (D)

Scheduled Hearing:

Judiciary (House)

Date: March 5, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Altering the procedures related to competency evaluations, including by requiring the Maryland Department of Health, rather than the court, to determine the basis on which a defendant will be examined; altering the definition of "designated health care facility" for the purpose of certain provisions of law governing the commitment of defendants who are found to be incompetent to stand trial; and extending the time period from 10 to 30 business days in which the Department is required to admit defendants who are found to be incompetent to stand trial.

Statutes Amended:

3-105,

3-106 Article - Criminal Procedure

[MD - HB1359 Facilities - Disabilities and Juveniles - Community Relations Plans](#)

Last Action: Text - First - Facilities - Disabilities and Juveniles - Community Relations Plans (February 9, 2024)

Primary Sponsor: Delegate Samuel I. Rosenberg (D)

Summary:

Requiring that certain regulations adopted by the Department of Juvenile Services governing juvenile care facilities and juvenile detention facilities include a requirement for the establishment, implementation, and review of certain community relations plans that include descriptions of certain processes and procedures; and requiring certain State residential centers and private group homes to establish, implement, and revise certain community relations plans.

Statutes Amended:

7-501,

7-610 Article - Health - General

9-234,

9-237 Article - Human Services

[MD - HB1366 State Correctional Facilities Incarcerated Individuals Costs of Telephone Communications](#)

Last Action: Hearing 3/07 at 1:00 p.m. (February 13, 2024)

Primary Sponsor: Delegate Kent Roberson (D)

Scheduled Hearing:

Judiciary (House)

Date: March 7, 2024**Time:** 1:00pm (EST)**Location:** House Office Building, Room 100, Annapolis, MD

Summary:

Providing that a State correctional facility is responsible for the payment of costs charged by a telephone service provider under certain circumstances; providing that a State correctional facility and a telephone service provider may not charge an incarcerated individual or a third party under certain circumstances; and providing that an incarcerated individual's access to or use of telephone equipment and telephone services may not supplant time that the incarcerated individual is entitled to in-person visitation.

Cross-filed Bill: SB948

Statutes Amended:

10-503,
10-802 Article - Correctional Services

MD - HB1397 Human Relations - Discrimination - Protected Characteristics

Last Action: Text - First - Human Relations - Discrimination - Protected Characteristics (February 9, 2024)

Primary Sponsor: Delegate Gary Simmons (D)

Scheduled Hearing:

Economic Matters (House)

Date: March 6, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 230, Annapolis, MD

Summary:

Altering certain provisions of law prohibiting discrimination based on certain protected characteristics to include prohibitions on discrimination based on sexual orientation, gender identity, race, religious beliefs, marital status, and disability.

Cross-filed Bill: SB590

Statutes Amended:

10-304,
10-305,
2-207,
3-209 Article - Criminal Law
11-102,
12-113,
12-305,
12-503,
12-603,

12-702,
12-704 Article - Commercial Law
13-219,
19-101,
19-102,
19-103,
19-114,
19-115 Article - State Finance and Procurement
14-5F-10,
19-311 Article - Health Occupations
15-112,
27-910 Article - Insurance
16-204,
16-304 Article - Land Use
16-305 Article - Housing and Community Development
18-204,
7-507 Article - Public Utilities
19-408,
19-710,
19-725 Article - Health - General
23-605,
23-806,
6-104,
7-128 Article - Education
3-304,
3-307 Article - Labor and Employment
5-106,
8-102 Article - Courts and Judicial Proceedings
8-214 Article - Tax - Property
8-707 Article - Human Services
8A-801 Article - Real Property

[MD - HB1402 Montgomery County State Attorneys Office Personnel Application of County Personnel Laws and Collective Bargaining MC 124](#)

Last Action: Text - First - Montgomery County State Attorneys Office Personnel Application of County Personnel Laws and Collective Bargaining MC 124 (February 9, 2024)

Primary Sponsor: Montgomery County Delegation

Summary:

Requiring that certain employees of the Montgomery County State's Attorney's Office be subject to the Montgomery County personnel laws governing county employees; authorizing certain employees of the Office to organize and bargain collectively for terms and conditions of employment; requiring, for purposes of collective bargaining, the Montgomery County Executive and the Montgomery County State's Attorney to be considered the employer of certain employees of the Office for certain purposes; etc.

[MD - HB1405 Department of Public Safety and Correctional Services - Incarcerated Individual Apprenticeship Program](#)

Last Action: Hearing 3/07 at 1:00 p.m. (February 13, 2024)

Primary Sponsor: Delegate Ric Metzgar (R)

Scheduled Hearing:

Judiciary (House)

Date: March 7, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Requiring the Department of Public Safety and Correctional Services to develop and offer an apprenticeship program in skilled trades for incarcerated individuals; establishing the purpose of the program is to assist incarcerated individuals to develop marketable job skills and to earn money that can be used once the individual is released from incarceration; authorizing the Department to pay all or part of an incarcerated individuals wages to a spouse, child or other dependent in need of financial support; etc.

Statutes Amended:

3-901 through 3-908 Article - Correctional Services

[MD - HB1406 Vehicle Laws - Drunk and Drugged Driving - Points Assessments](#)

Last Action: Hearing 2/28 at 1:00 p.m. (February 10, 2024)

Primary Sponsor: Delegate Kent Roberson (D)

Scheduled Hearing:

Judiciary (House)

Date: February 28, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Imposing assessments of 12 points for certain subsequent drunk and drugged driving violations.

Statutes Amended:

16-402,

21-902 Article - Transportation

MD - HB1411 Correctional Facilities - Correctional Nursery Program - Establishment

Last Action: Hearing 3/07 at 1:00 p.m. (February 13, 2024)

Primary Sponsor: Delegate Seth A. Howard (R)

Scheduled Hearing:

Judiciary (House)

Date: March 7, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Requiring the Department of Public Safety and Correctional Services to establish the Correctional Nursery Program to allow eligible incarcerated individuals and children born to them while in custody to reside together in a correctional facility.

Statutes Amended:

9-601,

9-601.2 Article - Correctional Services

MD - HB1417 Economic Justice and Racial Reconciliation Act

Last Action: Text - First - Economic Justice and Racial Reconciliation Act (February 9, 2024)

Primary Sponsor: Delegate Marlon Amprey (D)

Summary:

Establishing the Commission for Economic Justice and Racial Reconciliation to study racial disparities in wealth and resources as a result of tax laws and systems in place in the State from the Reconstruction Era through the enactment of and subsequent amendments to the federal Civil Rights Act of 1964; and requiring the Commission to submit a final report of its findings and recommendations to the Governor and the General Assembly on or before October 1, 2026.

MD - HB1419 Criminal Law - Deed Fraud - Prohibition and Deed Fraud Prevention Grant Fund

Last Action: Hearing 3/05 at 1:00 p.m. (February 13, 2024)

Primary Sponsor: Delegate Marlon Amprey (D)

Scheduled Hearing:

Judiciary (House)

Date: March 5, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Prohibiting the intentional fraudulent sale, conveyance, or lease or attempted sale, conveyance, or lease of real property by a person who does not own the real property; prohibiting the acquisition, sale, or conveyance or the attempted acquisition, sale, or conveyance of real property by deception, intimidation, threat, or undue influence; requiring the Department of State Police to disaggregate certain data collected for the Uniform Crime Report; and establishing the Deed Fraud Prevention Grant Fund.

Statutes Amended:

2-307,
2-901, 2-902 Article - Public Safety
6-226 Article - State Finance and Procurement
8-601,
8-906 Article - Criminal Law

[MD - HB1429 Criminal Procedure - Evidence - Protecting the Admissibility of Creative Expression \(PACE Act\)](#)

Last Action: Hearing 3/05 at 1:00 p.m. (February 13, 2024)

Primary Sponsor: Delegate Marlon Amprey (D)

Scheduled Hearing:

Judiciary (House)

Date: March 5, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Providing that the creative expression of a criminal defendant or juvenile respondent is not admissible against the defendant or respondent unless the court makes certain findings; and defining "creative expression" as the expression or application of creativity or imagination in the production or arrangement of forms, sounds, words, movements, or symbols.

Cross-filed Bill: SB662

[MD - HB1437 Juvenile Law - Juvenile Crime Reform](#)

Last Action: Hearing 2/29 at 1:00 p.m. (February 10, 2024)

Primary Sponsor: Delegate Robin L. Grammer, Jr. (R)

Scheduled Hearing:

Judiciary (House)

Date: February 29, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Altering the jurisdiction of the juvenile court over a child who is at least 13 years of age alleged to have committed a certain offense; expanding a reporting requirement by the Secretary of Juvenile Services; and expanding a certain provision relating to data collection and analysis by the Governor's Office of Crime Prevention, Youth, and Victim Services.

Statutes Amended:

3-530 Article - Public Safety

3-8A-03,

3-8A-14.2,

3-8A-30 Article - Courts and Judicial Proceedings

9-204 Article - Human Services

MD - HB1448 Motor Vehicle Administration - Driving Records - Expungement

Last Action: Hearing 2/28 at 1:00 p.m. (February 10, 2024)

Primary Sponsor: Delegate Frank M. Conaway, Jr. (D)

Scheduled Hearing:

Judiciary (House)

Date: February 28, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Requiring the Motor Vehicle Administration to automatically expunge information in the public driving record of a licensee if the information has been expunged from a court record or a police record.

Statutes Amended:

10-101 Article - Criminal Procedure

16-117.1 Article - Transportation

MD - HB1458 Workgroup to Study Extreme Risk Protective Orders (Sagar Ghimire Act)

Last Action: Text - First - Workgroup to Study Extreme Risk Protective Orders (Sagar Ghimire Act) (February 12, 2024)

Primary Sponsor: Delegate Harry Bhandari (D)

Summary:

Establishing the Workgroup to Study Extreme Risk Protective Orders; and requiring the Workgroup to report to the Governor and the General Assembly by May 1, 2025, on policy recommendations for improving the use of extreme risk protective orders in the State.

MD - HB1460 Criminal Law Personal Identifying Information and Images of Minors Dissemination

Last Action: Text - First - Criminal Law Personal Identifying Information and Images of Minors Dissemination (February 12, 2024)

Primary Sponsor: Delegate Gabriel Acevero (D)

Summary:

Prohibiting a person from intentionally disseminating the personal identifying information or image of a minor without express permission and with the intent to intimidate or harm the minor; and establishing that a person who violates the Act is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 1 year or a fine not exceeding \$5,000 or both.

Statutes Amended:

3-810 Article - Criminal Law

MD - HB1469 Criminal Law - Second Degree Assault - Sports Official

Last Action: Text - First - Criminal Law - Second Degree Assault - Sports Official (February 14, 2024)

Primary Sponsor: Delegate Stuart Michael Schmidt, Jr. (R)

Summary:

Prohibiting a person from intentionally causing physical injury to another if the person knows or has reason to know that the other is an official, umpire, referee, or judge officiating at a sporting event; authorizing a police officer to arrest a person without a warrant if the police officer has probable cause to believe that the person has committed a certain assault; and establishing that a person who violates the Act is guilty of a misdemeanor of assault and is subject to certain penalties.

Cross-filed Bill: SB842

Statutes Amended:

2-203 Article - Criminal Procedure

3-203 Article - Criminal Law

MD - HB1470 Criminal Procedure - Incompetency to Stand Trial Dismissal

Last Action: Text - First - Criminal Procedure - Incompetency to Stand Trial Dismissal (February 14, 2024)

Primary Sponsor: Delegate Jon S. Cardin (D)

Summary:

Altering the time period after which a court is required to dismiss a certain charge against a defendant found incompetent to stand trial under certain circumstances; and authorizing a victim or victim's representative to petition the court to extend the time for dismissal of certain charges against a defendant found incompetent to stand trial.

Cross-filed Bill: SB449

Statutes Amended:

11-506,

3-107 Article - Criminal Procedure

[MD - HB1474 Maryland Cannabis Administration - Cannabis Licensing - Protests of Renewal](#)

Last Action: Text - First - Maryland Cannabis Administration - Cannabis Licensing - Protests of Renewal (February 14, 2024)

Primary Sponsor: Delegate Carl Jackson (D)

Summary:

Authorizing certain individuals who are residents, commercial tenants who are not holders of or applicants for a license, or real estate owners, and who are located within 1,000 feet of the licensed premises to file a protest with the Maryland Cannabis Administration against the renewal of a cannabis license; providing that a protest against a license renewal may be filed with the Administration by at least 10 individuals; and establishing standards and requirements for the Administration's consideration of a protest filed under the Act.

Cross-filed Bill: SB469

Statutes Amended:

36-411 Article - Alcoholic Beverages and Cannabis

[MD - HB1479 Frederick County - Juveniles - Truancy Reduction Pilot Program](#)

Last Action: Text - First - Frederick County - Juveniles - Truancy Reduction Pilot Program (February 14, 2024)

Primary Sponsor: Frederick County Delegation

Summary:

Authorizing the Circuit Administrative Judge of the Sixth Circuit to establish a Truancy Reduction Pilot Program in the juvenile court in Frederick County.

Cross-filed Bill: SB1039

Statutes Amended:

3-8C-01,

3-8C-02 Article - Courts and Judicial Proceedings

[MD - SB860 Department of Public Safety and Correctional Services - Study on Location of Individuals Prior to and Following Incarceration](#)

Last Action: Text - First - Department of Public Safety and Correctional Services - Study on Location of Individuals Prior to and Following Incarceration (February 2, 2024)

Primary Sponsor: Senator Paul D. Corderman (R)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 28, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Requiring the Department of Public Safety and Correctional Services to conduct an annual study examining and comparing certain data regarding an individual's residence prior to incarceration and on release from a State correctional facility; and requiring the Department by October 1, 2025 and each October 1 thereafter, to report the results of the study to certain committees of the General Assembly.

Statutes Amended:

9-618 Article - Correctional Services

MD - SB1101 Scholarships and Police Officer Recruitment

Last Action: Text - First - Scholarships and Police Officer Recruitment (February 7, 2024)

Primary Sponsor: Senator William C. Smith, Jr. (D)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 27, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Requiring law enforcement agencies to develop and implement certain recruitment policies; clarifying that the Edward T. Conroy and Mary A. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program include certain postsecondary institutions in the State as eligible institutions that may award scholarships under the programs; and establishing the Police Officers Educational Benefit Scholarship I and the Police Officers Educational Benefit Scholarship II.

Statutes Amended:

18-101,

18-103,

18-4001 through 18-4004,

18-601 Article - Education

3-201,

3-207,

3-209,

3-209.3 Article - Public Safety

MD - SB1106 Annual Corrective Bill

Last Action: Text - First - Annual Corrective Bill (February 2, 2024)

Primary Sponsor: President

Summary:

Correcting certain errors or omissions in certain articles of the Annotated Code; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; and providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code.

Statutes Amended:

10-1004,

5-1101 Article - Economic Development

10-103,

11-139.3,

11A-121,

3-401,

8A-1502 Article - Real Property

10-405,

10-607,

10-906,

4-1008,

8-1103,

8-2A-02,

8-2A-04,

8-408,

8-409,

8-712.1,

8-716 Article - Natural Resources

10-902,

16-303,

18-108,

19-502,

19-706.1,

20-1302,

21-101,

21-1215,

24-2302,

24-905,

2-505,
5-301 Article - Health - General

1-204,

1-702,
1-708,
2-329,
3-801,
3-8A-01,
3-8A-17.3,
3-8A-19 Article - Courts and Judicial Proceedings

13-1401,

4-111 Article - Criminal Law

13-903 Article - Transportation

13A-604,

3-201,
5-310 Article - Public Safety

14-12B-01 Article - Commercial Law

15-114,

18-1907,
4-201.1,
5-213,
5-223,
5-239,
5-303 Article - Education

15-302,

8-101,
8-503 Article - Health Occupations

17-101,

7-304 Article - Business Regulation

17-111,

17-202 Article - Estates and Trusts

19-106 Article - Insurance

20-206 Article - State Personnel and Pensions

2-106 Article - Tax - Property

2-1220 Article - State Government

25-204 Article - Local Government

3-101,

3-105,

3-106,

3-108,

3-109,

3-112,

3-114,

6-220 Article - Criminal Procedure

3-302 Article - State Finance and Procurement

3-413,

9-407 Article - Labor and Employment

4-305,

9-609.1 Article - Correctional Services

4-333 Article - General Provisions

5-101,

5-201,

9-1702,

9-204,

9-2501 Article - Environment

7-207.2,

7-704.1 Article - Public Utilities