



MSBA Bill Report 3A - Judicial Matters

(2024.01.30)

January 30, 2024

[MD - HB699 Criminal Law - Hate Crimes - Notice and Removal of Item or Symbol \(Hate Crimes Graffiti Removal Act\)](#)

Last Action: Hearing 2/20 at 1:00 p.m. (January 29, 2024)

Primary Sponsor: Delegate Joe Vogel (D)

Committee: Environment and Transportation (House)

Scheduled Hearing:

Environment and Transportation (House)

Date: February 20, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 250, Annapolis, MD

Summary:

Requiring law enforcement agencies to promptly notify owners of personal or real property regarding certain items or symbols being placed or inscribed on the property; requiring certain property owners to remove the items or symbols within 24 hours after the certain item or symbol is reported to a law enforcement agency or the property owner receives a certain notification, subject to certain exceptions; and establishing that a penalty for a violation of this Act may only be imposed on an owner of commercial real or personal property.

Cross-filed Bill: SB650

Statutes Amended:

10-305.1,

10-305.2,

10-306 Article - Criminal Law

[MD - HB703 Juvenile Law - Police Record Concerning a Child - Confidentiality Exception](#)

Last Action: Text - First - Juvenile Law - Police Record Concerning a Child - Confidentiality Exception (January 26, 2024)

Primary Sponsor: Delegate Elizabeth Embry (D)

Committee: Judiciary (House)

Summary:

Authorizing the public disclosure by the Office of the Attorney General of the name and age of a child injured or killed in a police-involved incident as well as photographic or other visual depictions or descriptions of a police-involved incident resulting in the death or injury of a child, subject to the express consent of the child's parent or guardian.

Statutes Amended:

3-8A-27 Article - Courts and Judicial Proceedings

[MD - SB590 Human Relations - Discrimination - Protected Characteristics \(Equal Opportunity for All Marylanders Act\)](#)

Last Action: Text - First - Human Relations - Discrimination - Protected Characteristics (Equal Opportunity for All Marylanders Act) (January 26, 2024)

Primary Sponsor: Senator Clarence K. Lam (D)

Committees:

Finance (Senate)

Judicial Proceedings (Senate)

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.

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 - SB601 Minors Convicted as Adults - Sentencing - Transfer to Juvenile Court

Last Action: Text - First - Minors Convicted as Adults - Sentencing - Transfer to Juvenile Court (January 26, 2024)

Primary Sponsor: Senator William G. Folden (R)

Committee: Judicial Proceedings (Senate)

Summary:

Establishing a presumption that the sentencing of a minor convicted as an adult should be transferred to the juvenile court, under certain circumstances, and authorizing the court to do so; and requiring the juvenile court to make a juvenile determination under certain circumstances.

Cross-filed Bill: HB445

Statutes Amended:

6-235 Article - Criminal Procedure

MD - SB602 Criminal Procedure - Automated Expungement, Waiting Periods, and Adverse Actions (Clean Slate Act of 2024)

Last Action: Text - First - Criminal Procedure - Automated Expungement, Waiting Periods, and Adverse Actions (Clean Slate Act of 2024) (January 26, 2024)

Primary Sponsor: Senator Mike McKay (R)

Committee: Judicial Proceedings (Senate)

Summary:

Altering certain provisions of law relating to waiting periods for the filing of certain petitions for expungement to authorize the filing of a petition a certain amount of time after the completion of

the sentence; establishing procedures for the automated expungement of certain clean slate eligible charges; requiring the Department of Public Safety and Correctional Services to submit a report semiannually detailing the progress and outcomes of the automated expungement process during the preceding 6 months; etc.

Cross-filed Bill: HB658

Statutes Amended:

10-105,

10-109,

10-110,

10-113 Article - Criminal Procedure

MD - SB604 Judges' Retirement System - Special Death Benefit

Last Action: Hearing 2/08 at 9:00 a.m. (January 29, 2024)

Primary Sponsor: Senator Paul D. Corderman (R)

Committee: Budget and Taxation (Senate)

Scheduled Hearing:

Budget and Taxation (Senate)

Date: February 8, 2024

Time: 9:00am (EST)

Location: West Miller Senate Building, Room 3, Annapolis, MD

Summary:

Establishing a line-of-duty special death benefit for members of the Judges' Retirement System; providing for health benefits for a surviving child or dependent parent who is receiving a special death benefit for the death of a member of the Judges' Retirement System; and providing for the retroactive application of the Act to any member of the Judges' Retirement System who is killed prior to the effective date of the Act.

Statutes Amended:

2-507,

27-403,

29-201,

29-204.3 Article - State Personnel and Pensions

MD - SB606 Police Discipline - Order to Show Cause

Last Action: Text - First - Police Discipline - Order to Show Cause (January 26, 2024)

Primary Sponsor: Senator William G. Folden (R)

Committee: Judicial Proceedings (Senate)

Summary:

Authorizing a police officer who is denied a certain right to apply to the circuit court at a certain time for an order that directs the law enforcement agency to show cause why the right should not be granted.

Statutes Amended:

3-113.1 Article - Public Safety

[MD - SB607 Public Safety - Police Accountability and Discipline - Summary Punishment](#)

Last Action: Text - First - Public Safety - Police Accountability and Discipline - Summary Punishment (January 26, 2024)

Primary Sponsor: Senator William G. Folden (R)

Committee: Judicial Proceedings (Senate)

Summary:

Authorizing the imposition of certain summary punishment of a police officer for a minor violation of law enforcement agency rules and regulations if the facts that constitute the minor violation are not in dispute.

Statutes Amended:

3-106.1 Article - Public Safety

[MD - SB608 Public Safety - Police Accountability - Time Limit for Filing Administrative Charges](#)

Last Action: Text - First - Public Safety - Police Accountability - Time Limit for Filing Administrative Charges (January 26, 2024)

Primary Sponsor: Senator William G. Folden (R)

Committee: Judicial Proceedings (Senate)

Summary:

Requiring a law enforcement agency to file any administrative charges arising out of an investigation of alleged police officer misconduct that is not required to be reviewed by an administrative charging committee within 1 year and 1 day from the date of the incident that led to the investigation; etc.

Statutes Amended:

3-113 Article - Public Safety

[MD - SB609 Criminal Law - Hate Crimes - Law Enforcement Officers](#)

Last Action: Text - First - Criminal Law - Hate Crimes - Law Enforcement Officers (January 26, 2024)

Primary Sponsor: Senator William G. Folden (R)

Committee: Judicial Proceedings (Senate)

Summary:

Including law enforcement officers within the scope of certain prohibitions against committing certain crimes against certain persons, damaging certain property of certain persons, burning certain objects,

and damaging certain buildings with which certain persons or groups have contacts or associations or under circumstances exhibiting animosity against a certain person or group.

Statutes Amended:

10-301,

10-304,

10-305 Article - Criminal Law

MD - SB617 Task Force to Study Transparency Standards for State's Attorneys and the State's Attorney Case Management System Grant Fund

Last Action: Text - First - Task Force to Study Transparency Standards for State's Attorneys and the State's Attorney Case Management System Grant Fund (January 26, 2024)

Primary Sponsor: Senator Charles E. Sydnor, III (D)

Committee: Judicial Proceedings (Senate)

Summary:

Establishing the State's Attorney Case Management System Grant Fund to provide grants to State's Attorneys' offices to establish or improve case management systems; altering the membership of the Task Force to Study Transparency Standards for State's Attorneys; making the reporting requirement for the Task Force an annual report; and altering the termination date of the Task Force to June 30, 2027.

Statutes Amended:

15-501 through 15-503 Article - Criminal Procedure

190.,

6-226 Article - State Finance and Procurement

2022 Article - Chapter of the Acts

MD - SB619 Criminal Law - Cannabis-Related Offenses - Civil Penalties

Last Action: Text - First - Criminal Law - Cannabis-Related Offenses - Civil Penalties (January 26, 2024)

Primary Sponsor: Senator Jill P. Carter (D)

Committee: Judicial Proceedings (Senate)

Summary:

Substituting civil penalties in place of criminal penalties for certain offenses relating to possessing, possessing with the intent to distribute, and cultivating cannabis and manufacturing cannabis products.

Cross-filed Bill: HB441

Statutes Amended:

5-101,

5-601,

5-601.1,
5-601.2,
5-602,
5-603,
5-607 Article - Criminal Law

MD - SB624 Task Force to Study Public Information Act Requests Made to Law Enforcement Establishment

Last Action: Text - First - Task Force to Study Public Information Act Requests Made to Law Enforcement Establishment (January 26, 2024)

Primary Sponsor: Senator Jill P. Carter (D)

Committee: Judicial Proceedings (Senate)

Summary:

Establishing the Task Force to Study Public Information Act Requests Made to Law Enforcement; and requiring the Task Force to submit an interim report of its findings to the General Assembly on or before December 31, 2024, and a final report on or before December 31, 2025.

MD - SB632 Peace Orders - Visual Surveillance

Last Action: Text - First - Peace Orders - Visual Surveillance (January 26, 2024)

Primary Sponsor: Senator Paul D. Corderman (R)

Committee: Judicial Proceedings (Senate)

Summary:

Authorizing a certain person to petition for a peace order against another person whom the petitioner alleges has conducted visual surveillance of areas of the petitioner's residence where the petitioner has a reasonable expectation of privacy.

Statutes Amended:

3-1501,

3-1503 Article - Courts and Judicial Proceedings

MD - SB636 Juvenile Law Commission to Study the Ability of the Department of Juvenile Services to Provide Effective Social Services to Juvenile Offenders

Last Action: First Reading Judicial Proceedings (January 29, 2024)

Primary Sponsor: Senator Chris West (R)

Committee: Judicial Proceedings (Senate)

Summary:

Establishing the Commission to Study the Ability of the Department of Juvenile Services to Provide Effective Social Services to Juvenile Offenders; and requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before December 1, 2025.