



MSBA Bill Report 5A - Judicial Matters
(2024.02.14)
February 14, 2024

MD - HB1307 Family Law Child Custody and Visitation Visitation Reevaluations and Remedies

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

Primary Sponsor: Delegate N. Scott Phillips (D)

Scheduled Hearing:

Judiciary (House)

Date: February 29, 2024

Time: 1:00pm (EST)

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

Summary:

Authorizing a parent to petition a court for an emergency hearing to reevaluate a visitation schedule if the other parent fails to comply with a court-ordered visitation schedule without just cause; and requiring and authorizing a court to take certain actions as a result of a parent's failure to comply with a court-ordered visitation schedule.

Statutes Amended:

9-109 Article - Family Law

MD - HB1308 Real Property - Recordation of Instrument With False Information - Penalties and Actions to Quiet Title

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

Primary Sponsor: Delegate William J. Wivell (R)

Scheduled Hearing:

Judiciary (House)

Date: February 28, 2024

Time: 1:00pm (EST)

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

Summary:

Prohibiting a person from recording a deed or other instrument that the person knows contains false information; establishing a 3-year limitation on when a prosecution for a violation of the Act may be commenced; establishing a fine not to exceed \$500 for a violation of the Act; and authorizing a court to award certain costs and attorney's fees in an action to quiet title if the action or a defense to an action is based on the alleged recordation of a deed containing false information.

Statutes Amended:

14-607,

14-617,

3-104.2 Article - Real Property

5-106 Article - Courts and Judicial Proceedings

[**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 - HB1316** Real Property Holding Over Expedited Hearing and Service of Summons for Active Duty Service Member](#)

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

Primary Sponsor: Delegate Brian Chisholm (R)

Scheduled Hearing:

Judiciary (House)

Date: February 28, 2024

Time: 1:00pm (EST)

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

Summary:

Requiring a District Court to hold a hearing on a tenant holding over within 30 days after a landlord makes a complaint if the landlord or the landlord's spouse is on active duty with the United States military; and authorizing a licensed private detective agency to serve a summons if the constable or sheriff fails to serve the summons within 10 days after the summons is issued by the court.

Statutes Amended:

8-402 Article - Real Property

[MD - HB1323 Courts - Immunity From Liability - Maryland Safe Haven Program](#)

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

Primary Sponsor: Delegate William J. Wivell (R)

Scheduled Hearing:

Judiciary (House)

Date: February 28, 2024

Time: 1:00pm (EST)

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

Summary:

Altering, clarifying, and expanding certain provisions of law relating to the immunity from liability of a parent who leaves an unharmed newborn with a responsible adult within 60 days of the birth under certain circumstances; requiring the Secretary of Human Services to develop, implement, and maintain a public information program to inform the public about the Maryland Safe Haven Program; and requiring the Secretary of Human Services to submit a report to the General Assembly about the Maryland Safe Haven Program.

Cross-filed Bill: SB873

Statutes Amended:

5-641 Article - Courts and Judicial Proceedings

[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 - 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 - HB1349 Estates and Trusts - Elective Share of Surviving Spouse - Exclusion of Inherited Property](#)

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

Primary Sponsor: Delegate Steven J. Arentz (R)

Summary:

Excluding from a decedent's augmented estate the value of any property inherited by the decedent when calculating the estate from which a surviving spouse may elect to take a certain share.

Statutes Amended:

3-404 Article - Estates and Trusts

[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 - 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 - HB1445 Landlord and Tenant - Actions for Possession - Service of Process by a Private Detective

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

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

Scheduled Hearing:

Judiciary (House)

Date: February 28, 2024

Time: 1:00pm (EST)

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

Summary:

Authorizing service of process in an action to repossess leased residential property that also seeks a money judgment to be carried out by a private detective that is also otherwise authorized to serve process under the Maryland Rules.

Statutes Amended:

8-407 Article - Real Property

[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 - 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 - 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 - 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

MD - SB1108 Carroll County - Deputy Clerk or Deputy Sheriff - Oath of Office

Last Action: Text - First - Carroll County - Deputy Clerk or Deputy Sheriff - Oath of Office (February 4, 2024)

Primary Sponsor: Carroll County Senators

Summary:

Requiring that every deputy clerk or deputy sheriff in Carroll County take and sign the oath or affirmation prescribed by the Maryland Constitution.

Cross-filed Bill: HB720

Statutes Amended:

2-104 Article - Courts and Judicial Proceedings