

SENATE BILL 326

E4

5lr0726
CF HB 309

By: ~~Senators Waldstreicher and McCray~~, McCray, Smith, Sydnor, West, Muse, Folden, James, Henson, Love, McKay, and Charles

Introduced and read first time: January 15, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 7, 2025

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Law Enforcement Agencies – Peer Support Programs**

3 FOR the purpose of establishing certain confidentiality requirements for peer support
4 counseling programs for law enforcement agencies; and generally relating to peer
5 support programs for law enforcement agencies.

6 BY adding to

7 Article – Public Safety

8 Section 3–534

9 Annotated Code of Maryland

10 (2022 Replacement Volume and 2024 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

12 That the Laws of Maryland read as follows:

13 **Article – Public Safety**

14 **3–534.**

15 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
16 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(2) “PEER SUPPORT PROGRAM” MEANS A PROGRAM PROVIDED BY A**
2 **LAW ENFORCEMENT AGENCY OR THE FRATERNAL ORDER OF POLICE THAT**
3 **PROVIDES COUNSELING SERVICES FROM A PEER SUPPORT SPECIALIST TO A LAW**
4 **ENFORCEMENT OFFICER.**

5 **(3) “PEER SUPPORT SPECIALIST” MEANS A LAW ENFORCEMENT**
6 **OFFICER OR A MEMBER OF THE FRATERNAL ORDER OF POLICE WHO:**

7 **(I) HAS RECEIVED TRAINING IN PEER SUPPORT, INCLUDING**
8 **EMOTIONAL AND MORAL SUPPORT TO LAW ENFORCEMENT OFFICERS WHO HAVE**
9 **BEEN INVOLVED IN OR EXPOSED TO AN EMOTIONALLY TRAUMATIC EXPERIENCE IN**
10 **THE COURSE OF DUTY AS A LAW ENFORCEMENT OFFICER; AND**

11 **(II) IS DESIGNATED BY THE LAW ENFORCEMENT AGENCY TO**
12 **PROVIDE THE SERVICES DESCRIBED IN ITEM (I) OF THIS PARAGRAPH.**

13 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**
14 **PEER SUPPORT SPECIALIST OR PEER SUPPORT PROGRAM PARTICIPANT MAY NOT**
15 **DISCLOSE THE CONTENTS OF ANY WRITTEN OR ORAL COMMUNICATION REGARDING**
16 **A PEER SUPPORT INTERACTION.**

17 **(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IF:**

18 **(I) THE COMMUNICATION CONTAINS:**

19 **1. AN EXPLICIT THREAT OF SUICIDE, THE DISCLOSURE**
20 **OF WHICH THE PEER SUPPORT SPECIALIST BELIEVES IS NECESSARY TO AVOID A**
21 **SUICIDE ATTEMPT;**

22 **2. AN EXPLICIT THREAT OF IMMINENT AND SERIOUS**
23 **BODILY HARM OR DEATH TO A CLEARLY IDENTIFIED OR IDENTIFIABLE INDIVIDUAL;**

24 **3. INFORMATION RELATING TO THE ABUSE OR NEGLECT**
25 **OF A CHILD OR VULNERABLE ADULT, OR ABUSE OR NEGLECT THAT IS OTHERWISE**
26 **REQUIRED TO BE REPORTED BY LAW; OR**

27 **4. THE ADMISSION OF CRIMINAL CONDUCT;**

28 **(II) THE DISCLOSURE IS AUTHORIZED BY EACH PEER SUPPORT**
29 **PROGRAM PARTICIPANT WHO WAS A PARTY TO THE COMMUNICATION; OR**

30 **(III) A COURT OF COMPETENT JURISDICTION ISSUES AN ORDER**
31 **OR SUBPOENA REQUIRING THE DISCLOSURE OF THE COMMUNICATION.**

1 **(3) BEFORE THE INITIAL PEER SUPPORT INTERACTION WITH A PEER**
2 **SUPPORT PROGRAM PARTICIPANT, A PEER SUPPORT SPECIALIST SHALL INFORM**
3 **THE PEER SUPPORT PROGRAM PARTICIPANT IN WRITING OF THE CONFIDENTIALITY**
4 **PROVISIONS IN THIS SUBSECTION.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.