

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 634

(Chair, Judicial Proceedings Committee)(By Request -
Maryland Judicial Conference)

Judicial Proceedings

Judiciary

Office of the State Prosecutor - Investigation of Threats - Judges

This bill adds a violation of § 3-708 of the Criminal Law Article if the violation was committed against a “judge or judge-elect” to the offenses and violations that may be investigated by the State Prosecutor.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect the workload of the State Prosecutor or otherwise materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: None.

Analysis

Current Law/Background:

Threat Against State or Local Officials

Pursuant to § 3-708 of the Criminal Law Article, a person may not knowingly and willfully make a threat to take the life of, kidnap, or cause physical injury to a State official, a local official, a deputy State’s Attorney, an assistant State’s Attorney, or an assistant public defender. A person may not knowingly send, deliver, part with, or make for the purpose of sending or delivering a prohibited threat. A violator is guilty of a misdemeanor and subject to imprisonment for up three years and/or a \$2,500 maximum fine.

“Threat” includes (1) an oral threat or (2) a threat in any written form, whether or not the writing is signed, or if the writing is signed, whether or not it is signed with a fictitious name or any other mark.

“Local official” means an individual serving in a publicly elected office of a local government unit. “State official” means a (1) constitutional officer or officer-elect in an executive unit; (2) member or member-elect of the General Assembly; (3) judge or judge-elect; (4) judicial appointee; (5) State’s Attorney; (6) clerk of the circuit court; (7) register of wills; or (8) sheriff. The Governor, Governor-elect, Lieutenant Governor, and Lieutenant Governor-elect are specifically included as State officials under this prohibition.

State Prosecutor – Investigatory Power

Generally, the State Prosecutor may investigate various criminal offenses and violations of State law, including laws related to elections and voting, public ethics, bribery, and criminal misconduct in office committed by an officer or employee of the State, or a political subdivision of the State, or of a bicounty or multicounty unit of the State.

The State Prosecutor may investigate an alleged offense on the State Prosecutor’s own initiative or on request of the Governor, the Attorney General, the General Assembly, the State Ethics Commission, or a State’s Attorney. Also, on the request of the Governor, the Attorney General, the General Assembly, or a State’s Attorney, the State Prosecutor may investigate criminal activity that is committed (1) partly in the State and partly in another jurisdiction or (2) in more than one political subdivision of the State.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 1030 (Chair, Judiciary Committee)(By Request - Maryland Judicial Conference) - Judiciary.

Information Source(s): Judiciary (Administrative Office of the Courts); State Prosecutor’s Office; Department of Legislative Services

Fiscal Note History: First Reader - February 18, 2026
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Analysis by: Joanne E. Tetlow

Direct Inquiries to:
(410) 946-5510

(301) 970-5510