

SENATE BILL 1145

F1, E2

4lr3441
CF HB 1493

By: **Senators Salling, Bailey, Carozza, Corderman, Folden, Gallion, James, Jennings, McKay, Ready, and West**

Introduced and read first time: February 10, 2024

Assigned to: Rules

Re-referred to: Judicial Proceedings, February 26, 2024

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 29, 2024

CHAPTER _____

1 AN ACT concerning

2 **Public and Nonpublic Schools – Child Sex Offenders – Prohibition on In-Person**
3 **Attendance**

4 FOR the purpose of requiring law enforcement agencies and State’s Attorneys to notify
5 schools of certain information when a child is arrested for a certain offense;
6 prohibiting a child from in-person attendance at a public school or a nonpublic school
7 that receives State funds if the child has been convicted or adjudicated delinquent of
8 certain offenses; requiring each local school system to provide alternative
9 educational options for children prohibited from in-person attendance in a certain
10 manner; and generally relating to the prohibition of in-school attendance by children
11 convicted or adjudicated delinquent of certain offenses.

12 BY repealing and reenacting, without amendments,
13 Article – Criminal Procedure
14 Section 11–722(e)
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2023 Supplement)

17 BY repealing and reenacting, without amendments,
18 Article – Education
19 Section 7–303(a)(1), (b), and (c)
20 Annotated Code of Maryland
21 (2022 Replacement Volume and 2023 Supplement)

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 BY repealing and reenacting, with amendments,
 2 Article – Education
 3 Section 7–303(a)(6)
 4 Annotated Code of Maryland
 5 (2022 Replacement Volume and 2023 Supplement)

6 BY adding to
 7 Article – Education
 8 Section 7–312
 9 Annotated Code of Maryland
 10 (2022 Replacement Volume and 2023 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 12 That the Laws of Maryland read as follows:

13 **Article – Criminal Procedure**

14 11–722.

15 (e) (1) A registrant who is a student may receive an education in accordance
 16 with State law in any of the following locations:

17 (i) a location other than a public or nonpublic elementary or
 18 secondary school, including by:

19 1. participating in the Home and Hospital Teaching Program
 20 for Students; or

21 2. participating in or attending a program approved by a
 22 county board under paragraph (2) of this subsection;

23 (ii) a Regional Institute for Children and Adolescents; or

24 (iii) a nonpublic educational program as provided by § 8–406 of the
 25 Education Article if:

26 1. the registrant has notified an agent or employee of the
 27 nonpublic educational program that the registrant is required to register under this
 28 subtitle; and

29 2. the registrant has been given specific written permission
 30 by an agent or employee of the nonpublic educational program to attend the nonpublic
 31 educational program.

1 (2) Each county board shall develop and adopt a policy that enables a
2 registrant who is a student to receive an education as described under paragraph (1) of this
3 subsection.

4 (3) The State Board shall develop and adopt guidelines and a model policy
5 to assist a county board with the development of a policy under paragraph (2) of this
6 subsection.

7 Article – Education

8 7–303.

9 (a) (1) In this section the following words have the meanings indicated.

10 (6) “Reportable offense” means an offense that:

11 (i) Occurred off school premises;

12 (ii) Did not occur at an event sponsored by the school; and

13 (iii) Involved any of the following:

14 1. A crime of violence, as defined in § 14–101 of the Criminal
15 Law Article;

16 2. Any of the offenses enumerated in [§ 3–8A–03(e)(4)] §
17 3–8A–03(D)(4) of the Courts Article;

18 3. A violation of § 4–101, § 4–102, § 4–203, or § 4–204 of the
19 Criminal Law Article;

20 4. A violation of § 5–602, § 5–603, § 5–604, § 5–605, § 5–606,
21 § 5–607, § 5–608, § 5–608.1, § 5–609, § 5–612, § 5–613, § 5–614, § 5–617, § 5–618, § 5–627,
22 or § 5–628 of the Criminal Law Article;

23 5. A violation of § 4–503, § 9–504, or § 9–505 of the Criminal
24 Law Article;

25 6. A violation of § 6–102, § 6–103, § 6–104, or § 6–105 of the
26 Criminal Law Article;

27 7. A violation of § 9–802 or § 9–803 of the Criminal Law
28 Article;

29 8. A violation of § 3–203 of the Criminal Law Article;

30 9. A violation of § 6–301 of the Criminal Law Article;

1 **(2) THE ALTERNATIVE EDUCATIONAL OPTIONS PROVIDED UNDER**
2 **THIS SUBSECTION SHALL ALIGN WITH THE REQUIRED POLICY ADOPTED BY COUNTY**
3 **BOARDS UNDER § 11-722(E) OF THE CRIMINAL PROCEDURE ARTICLE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.