



## THE MARYLAND HOUSE OF DELEGATES JUDICIARY COMMITTEE

Dear Members of the Maryland Bench and Bar,

I am pleased to present you with a summary of legislation passed by the House Judiciary Committee during the 2024 Legislative Session of the Maryland General Assembly. A bill passed, but not yet enacted, is still subject to a veto by the Governor and is indicated by its House Bill (HB) or Senate Bill (SB) number. A chapter number (CH) indicates that the bill has been enacted.

Please note that most of the legislation will not become effective until later this year.

### **Criminal Law**

**HB382/SB344 - Criminal and Civil Trespass - Professional Land Surveyors - Exception** create exceptions to criminal prohibitions against trespass on property under Title 6, Subtitle 4 of the Criminal Law Article and the common law tort of trespass for a “professional land surveyor” or an agent or employee of a professional land surveyor who enters the property of another to “practice land surveying.”

**HB585/SB480 (CH21/CH20) - Protecting Election Officials Act of 2024**, effective immediately, prohibit a person from threatening to harm an election official or an immediate family member of an election official because of the election official’s role in administering the election process, with violations subject to penalties of imprisonment for up to three years and/or a fine of up to \$2,500.

**HB763 - Commission on Hate Crime Response and Prevention - Membership** alters the membership of the Commission on Hate Crime Response and Prevention by (1) removing representatives of specified organizations and (2) adding 1 representative from the Office of the Public Defender and 15 individuals who are members of or advocate on behalf of a protected class under the State hate crime laws, as set forth in Title 10, Subtitle 3 of the Criminal Law Article.

**HB1063 - Criminal Organizations - Underlying Crime** expands the meaning of “underlying crime” for the purposes of establishing a “pattern of organized criminal activity” applicable to related criminal prohibitions to include:

- use of a firearm in the commission of a crime under § 4-204 of the Criminal Law Article;
- contraband – in general under § 9-412 of the Criminal Law Article;
- a felony violation of Title 8 of the Criminal Law Article (fraud and related crimes);

- bribery under Title 9, Subtitle 2 of the Criminal Law Article;
- false statements under Title 9, Subtitle 5 of the Criminal Law Article;
- impersonating a police officer under § 3-502 of the Public Safety Article;
- threat of mass violence under Title 3, Subtitle 10 of the Criminal Law Article;
- child pornography under § 11-207 or § 11-208 of the Criminal Law Article;
- a felony violation of Title 27, Subtitle 4 of the Insurance Article (insurance fraud);
- removal or falsification of a vehicle identification number under § 14-107 of the Transportation Article; and
- abuse or neglect of a vulnerable adult under §§ 3-604 or 3-605 of the Criminal Law Article.

**SB379 - Task Force to Study Crime Classification - Renaming, Membership, and Duties** (1) renames the Task Force to Study Crime Classification to be the Task Force to Study Crime Reclassification and Penalties; (2) expands the membership of the task force; (3) alters the duties of the task force; and (4) specifies that a task force member serves at the pleasure of the person who appointed the member to the task force. The task force must report its findings and recommendations to the Governor and the General Assembly by December 31, 2025

### Sexual Offenses

**HB5/SB130 - Criminal Law - Indecent Exposure Within the Presence of a Minor** codify the prohibition on committing indecent exposure. A violator is guilty of a misdemeanor and subject to the existing statutory penalty of imprisonment for up to three years and/or a fine of up to \$1,000. The bills also establish a new offense that prohibits a person from committing indecent exposure with prurient intent when the person knows or reasonably should know that a minor is present and the minor is at least two years old and more than four years younger than the perpetrator. This offense is a misdemeanor and is punishable by imprisonment for up to five years and/or a fine of up to \$10,000.

**HB99/SB113 - Criminal Law - Sexual Solicitation of a Minor Through Child Pornography - Prohibition** expand the crime of sexual solicitation of a minor (§ 3-324 of the Criminal Law Article) by prohibiting a person from committing the crime of sexual solicitation of a minor with the intent to commit a violation of the prohibition against production or distribution of child pornography under § 11-207 of the Criminal Law Article. Violators are subject to the existing penalties for sexual solicitation of a minor, which is a felony punishable by a maximum of (1) 10 years imprisonment and/or a \$25,000 fine for a first offense or (2) 20 years imprisonment and/or a \$50,000 fine for a second or subsequent offense.

**HB496 - Criminal Law - Sexual Crimes - Definition of Consent and Repeal of Force** establishes that it is second-degree rape under § 3-304 (a)(1) for a person to engage in vaginal intercourse or a sexual act with another person without the consent of the other person. The bill also defines “consent” for purposes of Title 3, Subtitle 3 of the Criminal Law Article (sexual crimes); establishes that consent, lack of consent, and withdrawal of consent must be determined based on the totality of the circumstances; and specifies other factors related to consent as an element of a sexual crime.

**HB1047 - Consumer Protection – Self-Administered Sexual Assault Evidence Collection Kits** (1) prohibits the sale or distribution of a self-administered sexual assault evidence collection kit, with a violation deemed as an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA) and subject to MCPA’s civil and criminal penalty provisions; (2) specifies that information indicating the physical evidence of “sexually assaultive behavior” was obtained using specified prohibited materials is not admissible in a criminal or civil proceeding involving the allegation of sexually assaultive behavior; (3) prohibits the limitation or waiver of rights, remedies, and warranties regarding sexual assault evidence collection; and (4) establishes the Forensic Nurse Examiner Training Grant Program and associated special fund administered by the Governor’s Office of Crime Prevention and Policy.

**HB1127/SB950 - Sexual Assault Forensic Examinations Conducted Through Telehealth - Reimbursement and Study** require specified health care providers to provide sexual assault forensic exams conducted through “peer-to-peer telehealth” without charge to victims and makes those services eligible for reimbursement through the Governor’s Office of Crime Prevention and Policy. “Peer-to-peer telehealth” means, as it relates to the performance of a forensic examination, the use of interactive audio, video, or other telecommunications or electronic technology by a forensic nurse examiner to assist in the performance of a forensic examination when the examiner is in one location and the patient is with a qualified health care provider in another location. The bills also extend existing provisions that provide immunity from civil liability to physicians or qualified health care providers under certain circumstances to be applicable when sexual assault forensic exams are conducted through peer-to-peer telehealth. Finally, the bills require the Maryland Sexual Assault Evidence Kit Policy and Funding Committee to study and make recommendations related to the use of telehealth to support the provision of sexual assault forensic examinations, as specified. The committee must report its findings and recommendations to the General Assembly by December 1, 2024.

### **Criminal Procedure**

**HB338/SB182 - Criminal Procedure – Facial Recognition Technology – Requirements, Procedures, and Prohibitions** establish numerous requirements, procedures, and prohibitions to govern the use of facial recognition technology (FRT) by law enforcement agencies. Generally, law enforcement, in the furtherance of a criminal investigation, may only use FRT in limited circumstances, including to investigate specified crimes of violence or criminal acts that present a substantial and ongoing threat to public safety or national security. The bills may not be construed, however, to restrict the use of FRT for certain purposes, including to identify a missing, deceased, or incapacitated person. The bills require specified training, audits, and reports related to the use of FRT and, with specified exceptions, prohibit the introduction of results generated by FRT in a criminal proceeding or a juvenile delinquency proceeding. The Department of State Police, in consultation with any other relevant State agency, must adopt and publish a model statewide policy regarding the use of FRT. By June 30, 2026, the Department of Public Safety and Correctional Services (DPSCS) must develop and administer a training program regarding the use of FRT in the course of criminal investigations. A police officer or

other employee or agent of a law enforcement agency authorized to use FRT in the course of a criminal investigation must annually complete training administered by DPSCS.

**HB458/SB111 - Criminal Procedure - Protection of Identity of Minor Victim** provide that the court or a party in a criminal or juvenile delinquency case, on notice that an electronic or paper filing includes “identifying information” of a minor victim, may not disclose or allow inspection of any such filing, including a charging document, to a nonparty unless the court or the party disclosing or allowing inspection of the filing redacts identifying information or the court finds by clear and convincing evidence that there is good cause to order otherwise.

**HB476/SB549 - Criminal Procedure - Forensic Genetic Genealogical DNA Analysis and Search - Applicability for Deceased and Missing Individuals** Title 17 of the Criminal Procedure Article governs law enforcement use of forensic genetic genealogical DNA analysis and search (FGGS), which involves comparing and potentially matching DNA with genetic profiles in public databases. Title 17 includes a general prohibition against initiating FGGS without both judicial authorization and certification before the court that the forensic sample and criminal case meet specified criteria. These bills provide an exemption to the statutory requirements within Title 17 when FGGS is conducted solely for the purpose of identifying an individual who is (1) deceased or (2) the subject of a missing person report filed with a law enforcement agency and whose whereabouts are unknown.

**HB544/SB391 - Criminal Law - Sexual Extortion, Stalking, and Revenge Porn - Statute of Limitations and In Banc Review** establish that (1) the statute of limitations for a prosecution of the crime of sexual extortion in violation of § 3-709 of the Criminal Law Article is 5 years; (2) the statute of limitations for a prosecution of the crime of stalking in violation of § 3-802 of the Criminal Law Article is 10 years; and (3) an individual may be prosecuted at any time for revenge porn in violation of § 3-809 of the Criminal Law Article. Under existing statute, the prosecution of all of these crimes must be initiated within one year.

**HB575 - Criminal Procedure - Victim Compensation - Alterations (Victim Compensation Reform Act of 2024)** makes numerous changes to statutory provisions regarding victim compensation awarded through the Criminal Injuries Compensation Board (CICB). Among other provisions, the bill (1) alters the duties, powers, and procedures for CICB to make awards to victims of crime; (2) authorizes reconsideration and judicial review of CICB decisions; and (3) authorizes the Governor, for fiscal 2026 and each year thereafter, to include in the annual budget bill an appropriation to the Criminal Injuries Compensation Fund that is adequate to ensure a balance in the fund. The bill also makes numerous changes that significantly expand the eligibility for, amount of, and types of awards that CICB is authorized to make to specified victims of crime. For example, the bill affords additional time for filing claims, increases the maximum limits on various awards, and repeals existing requirements that condition eligibility on victim cooperation with law enforcement.

**HB801/SB551 - Criminal Procedure - Committed Persons - Release Proceedings** make various changes to procedures relating to persons committed to the Maryland Department of Health (MDH) after being found not criminally responsible by (1) establishing that the Maryland Rules governing discovery for civil matters in the circuit court apply to a proceeding to

determine eligibility for conditional release or discharge; (2) requiring a court and MDH to promptly inform the committed person's counsel of record when they receive a report that a committed person violated conditional release; (3) requiring a court, on request of any party, to hold a hearing after an application is made for a change in the conditional release of a committed person to determine whether the applicant has satisfied the requirements for release; (4) establishing that a preponderance of the evidence standard applies to an applicant in change of conditional release proceedings; and (5) clarifying that a court may extend a conditional release by up to five years and authorizing a court to shorten or terminate the conditional release.

**HB960 - City of Frederick - Assignment of Offenders to Road Work - Repeal** repeals the requirement that a District Court judge in the City of Frederick who tries and commits a vagrant or other offender of a municipal law or ordinance shall, whenever practicable, assign the offender to work on the public roads of the county or the City of Frederick.

**SB687 - Criminal Procedure - Bail Bonds - Seventh Judicial Circuit** repeals provisions relating to bail bonds in the Seventh Judicial Circuit (which includes Calvert, Charles, Prince George's, and St. Mary's counties). Specifically, the bill repeals § 5-203(b) of the Criminal Procedure Article governing bail bondspersons and related fees in the Seventh Judicial Circuit and repeals § 5-209(b) of the Criminal Procedure Article exempting the Seventh Judicial Circuit from certain requirements for property bondspersons. The bill clarifies existing procedure and updates statute to reflect that the Seventh Judicial Circuit no longer has a separate bail bonds system and follows the bail bonds statutes applicable to the rest of the State.

### **Expungement**

**SB11 - Department of Public Safety and Correctional Services and Maryland Judiciary - Information Technology - Partial Expungement** requires the Department of Public Safety and Correctional Services to include system upgrades required to allow for automated expungement of charges and partial expungement of charges in any vendor contracts being negotiated as of October 1, 2024.

### **Public Safety**

**HB172/SB287 - Department of State Police - Professional Occupations - Application Process** alter (1) the licensing or certification processes for private detective agencies, private detectives, security guard agencies, security guards, security systems agencies, security systems technicians, and railroad police officers and (2) the commissioning process for special police officers to facilitate automated processing of applications and payments.

**HB195 - Public Safety - Missing Persons - Purple Alert Program** requires the Department of State Police (DSP) to establish a Purple Alert Program to provide a system for rapid dissemination of information to assist in locating a missing person. A "missing person" is defined as an individual: (1) whose whereabouts are unknown; (2) who (a) has a cognitive impairment, mental disorder, intellectual or developmental disability, or brain injury that is not Alzheimer's disease, dementia, or a physical, mental, or emotional disability related to substance abuse or (b) is deaf, deafblind, hard of hearing, or late-deafened; (3) whose disappearance poses

a credible threat to the health and safety of the individual due to age, health, mental or physical disability, environment, or weather conditions, as determined by a law enforcement agency; and (4) who does not meet the criteria for activation of a Silver Alert.

**HB404 - Public Safety - Wellness Checks - Requirements (Gabriel's Law)** requires a law enforcement agency that receives a qualified request for a wellness check of an individual from an interested party to (1) conduct a wellness check of the individual within a reasonable amount of time after receiving the request, if the individual is located in the law enforcement agency's jurisdiction or (2) if the individual is not located in the law enforcement agency's jurisdiction, promptly provide the person who made the request with contact information for the law enforcement agency that does have jurisdiction over the location in which the individual is located. If the interested party states in the qualified request that there is a concern for a life-threatening condition, then a fire, rescue, or emergency medical services entity must conduct the wellness check simultaneously with the law enforcement agency.

**HB597/SB470 - Growing Apprenticeships and the Public Safety Workforce (GAPS) Act** rename the Law Enforcement Cadet Apprenticeship Program in the Maryland Department of Labor (MDL) to be the Public Safety Apprenticeship Program and expand the purposes and scope of the program, including expanding eligibility for the program to include public safety agencies (instead of solely law enforcement agencies). The purpose of the program is to (1) provide young individuals opportunities to begin a career with a public safety agency; (2) foster positive relationships between the public, particularly young individuals, and public safety agencies; (3) develop a cohort of individuals qualified to join a public safety agency; (4) encourage public safety agencies to hire apprentices; and (5) help public safety agencies offset additional costs, if any, associated with hiring apprentices. MDL may award start-up grants of up to \$200,000 and stabilization grants of up to \$5,000. The bills also alter the eligibility criteria and the types of grants that may be awarded under the program. The Maryland Police Training and Standards Commission (MPTSC) must (1) develop mental health wellness policies to be implemented in law enforcement agencies and correctional facilities in the State and (2) submit a related annual report. In addition, the bills establish the Workgroup on Growing Engagement in the Law Enforcement and the Corrections Workforce, staffed by MPTSC, to (1) identify and study the shortage of employees in the law enforcement fields; (2) determine ways to advertise and promote law enforcement employment opportunities across the State; (3) explore recruitment and retention strategies used in the law enforcement and corrections fields that have been successful in other states and countries; and (4) make recommendations on incentives or other methods to increase the number of employees in the law enforcement workforce.

**HB690 - Charles County - Adult Protective Services Review Board - Membership** alters the membership requirements for the Adult Public Guardianship Review Board in Charles County by authorizing the appointment of a physician's assistant or nurse practitioner in the field of psychiatry to serve on the board instead of a psychiatrist.

**HB732/SB894 - Baltimore City - Control Over Powers of Police Commissioner** repeal the prohibition on an ordinance of Baltimore City or an act of any municipal officer from conflicting, impeding, obstructing, hindering, or interfering with the powers of the Baltimore City Police Commissioner. The bill is contingent on the passage of an amendment to the Charter

of Baltimore City that provides for the appointment, terms of office, and the powers and duties of the Baltimore City Police Commissioner and the powers and duties of the Baltimore City Police Department and its ratification by the voters of Baltimore City at the 2024 general election.

**HB973/SB7 - Public Safety - Law Enforcement Agencies - Positive Community Feedback** require the Maryland Police Training and Standards Commission (MPTSC) to develop a uniform citizen positive community feedback process to be adopted and followed by each law enforcement agency. The process must be (1) simple and (2) posted on MPTSC's website and on the website of each law enforcement agency that maintains a website. Each law enforcement agency must maintain a record of positive community feedback for all law enforcement officers within the agency. A record of positive community feedback that was not solicited by the police officer who is the subject of the feedback is not considered a personnel record under the Maryland Public Information Act (PIA). Notwithstanding any other provision of law, records of positive community feedback are subject to public inspection in accordance with PIA.

**HB1034 - Baltimore City Sheriff - Staffing** increases, from one to three, the number of assistant sheriffs who must be appointed by the Baltimore City Sheriff. The bill also specifically authorizes the Sheriff to appoint up to two social workers and, subject to existing provisions relating to collective bargaining, any additional sworn or civilian personnel if the funding for the personnel is provided in the ordinance of estimates or any other source.

**HB1060 - Carroll County – Sheriff – Salary** increases, from \$140,000 to \$191,078.10, the annual salary of the Carroll County Sheriff beginning in 2026. Beginning in 2027, the sheriff must receive an annual salary of \$212,309. Pursuant to constitutional requirements, the first salary increase takes effect at the beginning of the next term of office.

**HB1065/SB774 - Public Safety - Maryland Entertainment District Security Grant Program** establish the Maryland Entertainment District Security Grant Program to assist community organizations, nonprofit entities, and local governments to fund security operations during times of high pedestrian traffic in entertainment districts from which a higher than average number of calls for police assistance in response to reported crime are placed. Beginning in fiscal 2026, the Governor may annually appropriate up to \$1.0 million to the fund.

**HB1081/SB840 - Public Safety - Automatic License Plate Readers - Captured Plate Data Storage and Upload** alter the definition of historical data, as it applies to the use of captured license plate data provisions, to include automatic license plate reader (LPR) data stored through cloud computing. Additionally, the bills establish that LPR historical data captured in accordance with the bill and existing law (1) is the property of the law enforcement agency; (2) may not be sold for any purpose by a law enforcement agency or vendor contracted by a law enforcement agency, including the sale of subscriptions or licenses to access data; (3) may not be accessed by a vendor contracted by a law enforcement agency unless access is expressly requested and authorized by the law enforcement agency; (4) may not be uploaded for any reason by the law enforcement agency or a vendor contracted by the law enforcement agency that stores the data to any other law enforcement agency or entity, regardless of whether the agency or entity is located inside or outside the State; and (5) may be uploaded to a database owned or operated by the Maryland Coordination and Analysis Center. The bills also add to the procedures that must be

adopted by law enforcement agencies relating to the operation and use of automatic license plate reader systems and expand an existing criminal prohibition against misuse of captured plate data in violation of the statute by an employee of a law enforcement agency to include vendors contracted by law enforcement agencies.

**HB1086/SB890 - Compensation for Individuals Erroneously Convicted - Alterations** (1) alter the circumstances under which an individual who was erroneously convicted, sentenced, and confined may receive compensation; (2) alter the benefits available to these individuals; (3) require the State to notify the individual in writing when it intends to introduce evidence to reduce or prevent an award of compensation to an individual who served a concurrent sentence for a lawful conviction and confinement; and (4) repeal obsolete provisions. The bills also extend eligibility for compensation to individuals who have been erroneously convicted of a conspiracy to commit a felony and meet specified existing statutory requirements; individuals in this category who were ineligible for compensation before July 1, 2024, may petition for an order of eligibility no later than July 1, 2026.

**HB1093/SB1038 - Anne Arundel County - Human Relations Commission - Subpoena Enforcement** authorize, if a person fails to obey a subpoena served by the Anne Arundel County Human Relations Commission, the commission to apply to a circuit court for an order requiring the attendance and testimony of witnesses and the production of specified materials and property. The circuit court may issue an order once specified requirements are met; failure to obey an order may be punished by the court as contempt of court.

**SB181 - Qualifying Nonprofit Organizations - Training and Reentry Services - Funding** authorizes the Governor, for fiscal 2026 through 2028, to include each year in the annual budget bill an appropriation of \$1.0 million to be used solely as an operating grant to qualifying non-profit organizations for the purpose of providing training to formerly incarcerated individuals in automotive repair. The Governor's Office of Crime Prevention and Policy must administer the grant funds.

**SB270 - Adult Protective Services - Review Boards - Membership and Terms** alters statutory provisions regarding adult public guardianship review boards, including reducing (from 11 to 8) the number of required members and altering membership qualifications.

**SB905 - Public Safety – Extreme Risk Protective Orders – Review of Court Records** authorizes review of a court record related to a petition for an extreme risk protective order by researchers affiliated with institutions of higher education conducting related academic or policy research that have entered into an agreement with the Maryland Judiciary providing for the confidentiality of the record in accordance with the bill's provisions. The Maryland Judiciary must require an institution of higher education that has researchers reviewing court records relating to extreme risk protective orders to enter into an agreement that provides for the storage and handling of the records, as specified. The agreement may not apply to or restrict the use or publication of any statistics, information, or other material that summarizes or refers to records in the aggregate, without disclosing the identity of any person who is the subject of the record. The Maryland Judiciary, on its own motion, may institute an injunction and any other appropriate



remedy (1) for a violation of the agreement and (2) to prevent the unauthorized disclosure of a record relating to an extreme risk protective order by any person.

## **Firearms**

**HB315/SB319 - Regulated Firearms - Maryland Judiciary - Reporting Requirements** repeal the requirement for the Maryland State Commission on Criminal Sentencing Policy (MSCCSP) to report to the Governor and the General Assembly, by October 1, 2024, and each October thereafter, on the number of charges, convictions, and sentences for violations of § 4-203 of the Criminal Law Article (wearing, carrying, or transporting handgun) and § 5-133(d) of the Public Safety Article (restrictions on possession of regulated firearms) and instead require the Maryland Judiciary to report that same information.

**HB583/SB475 - Center for Firearm Violence Prevention and Intervention - Establishment** are Administration bills establishing the Center for Firearm Violence Prevention and Intervention within the Maryland Department of Health (MDH). The purpose of the center is to reduce firearm violence, harm from firearm violence, and misuse of firearms in the State by partnering with federal, State, and local agencies and affected communities to implement a public health approach to firearm violence reduction. The center must work in consultation with specified State agencies and stakeholders; solicit and consider recommendations from specified communities and experts; and submit to the Governor and General Assembly a preliminary State Plan for a Public Health Approach to Reducing Firearm Violence (by May 1, 2025), and a State Strategic Plan for Firearm Violence Reduction Using Public Health Strategies (by May 1, 2029, and every four years thereafter).

**HB810 - Criminal Law - Rapid-Fire Activator - Switch/Auto-Sear** (1) alters the defined term “rapid fire trigger activator” to be “rapid fire activator” and (2) expands the definition of “rapid fire activator” to include a “switch/auto-sear” for purposes of existing prohibitions and penalties. “Switch/auto-sear” means a device that applies force to a firearm’s trigger bar to prevent it from limiting the weapon to firing only one round each time the trigger is depressed. The devices are illegal under federal law, which defines a machine gun to include any part designed and intended to convert a weapon into a machine gun.

## **Juvenile Law**

**HB814 - Juvenile Law - Reform** makes numerous changes to the juvenile justice process in the State, including by altering the delinquency jurisdiction of the juvenile court over children ages 10 to 12 and by altering procedures relating to juvenile intake, complaints, detention, and probation. In addition, the bill alters provisions relating to the Commission on Juvenile Justice Reform and Emerging and Best Practices.

Among other significant provisions, the bill: (1) expands the juvenile court’s jurisdiction to include a child who is at least age 10 and is alleged to have committed a specified weapons or firearms offense, aggravated cruelty to animals, or sexual offense in the third degree; (2) specifies that, if a complaint is filed that alleges the commission of theft of motor vehicle by a child under the age of 13, a Department of Juvenile Services (DJS) intake officer is required to

authorize the filing of a petition alleging that the child is in need of supervision; (3) expands the State’s Attorney’s review of complaints in cases in which a DJS intake officer denies authorization to file a petition or proposes informal adjustment to include complaints alleging certain weapons and firearms violations and complaints alleging that the child committed a delinquent act while under the supervision of DJS, as well as cases in which an intake officer believes that informal adjustment cannot be successfully completed; (4) requires that, if a child is taken into custody by a law enforcement officer, as specified, the officer must complete and forward: (i) a written complaint or citation to DJS for processing, (ii) a written report to DJS indicating that the child was diverted to an at-risk youth prevention and diversion program, as specified, or (iii) a written report to DJS indicating that no further action was taken; (5) alters current pre-hearing detention requirements by authorizing the juvenile court to order pre-hearing detention when a child is alleged to have committed, while under DJS supervision, an act that would result in a penalty of imprisonment of more than two years if committed by an adult, unless the act would constitute second degree assault, and prohibiting pre-hearing detention for any child under the age of 13 who is accused of a first-time violation of specified firearm offenses, unless the child has violated the terms of community detention; (6) extends time limits on juvenile probation in the following manner: (i) for offenses that would be a misdemeanor, the maximum initial probation period increases from six months to one year, and the total probation term, including extensions, increases from a one-year maximum to a two-year maximum; (ii) for offenses that would be a felony, the maximum initial probation period increases from one year to two years and the total probation term, including extensions, increases from two years to three years; (iii) if after a hearing, the court finds by clear and convincing evidence that there is good cause to extend the probation and an extension is in the best interest of the child, the total period of probation increases from three years to four years, inclusive of all extensions; (iv) “good cause” includes a child having two or more unexcused absences from a treatment program that the child is ordered to attend as a condition of probation, unless the court finds that the child has substantially completed the treatment program; and (v) if a child placed on probation has two or more unexcused absences from a court-ordered treatment program, the court must be given notice; (7) applies current provisions of law prohibiting sex offender registrants from entering onto school property or attending school to juvenile sex offender registrants; (8) expands specified reporting requirements by DJS; (9) codifies the Governor’s Office for Children, the Children’s Cabinet, and the Governor’s Office of Crime Prevention and Policy; and (10) expands the membership and duties of the Commission on Juvenile Justice Reform and Emerging and Best practices, which is charged with reviewing and reporting to the General Assembly and the Governor on all juvenile services, facilities, and programs in the State.

**SB652 - Department of Juvenile Services – Report on Shootings (Department of Juvenile Services Transparency Act of 2024)** requires DJS to report to the Commission on Juvenile Justice Reform and Emerging and Best Practices and the General Assembly by December 1 each year on (1) the number of juveniles under DJS’s supervision in the preceding year who were nonfatally shot, shot another individual, or were victims of a homicide; (2) the actions DJS took in response and a timeline of such actions; (3) the age of each juvenile in the report; and (4) the county of residence of each juvenile in the report.

## **Family Law**

**HB300/SB136 - Family Law - Marriage Ceremony - Designation of Deputy Clerk** transfer the authority to designate a deputy clerk to perform a marriage ceremony from the county administrative judge to the clerk of the circuit court for the county.

**HB435 - Child Support - Incarcerated Obligor** alters statutory provisions that determine the calculation and modification of child support for incarcerated obligors by (1) specifying that a court may determine that a material change of circumstances has occurred if a party becomes incarcerated, provided that the party's ability to pay child support is sufficiently reduced due to incarceration; (2) establishing that a parent who is incarcerated may not be considered to be voluntarily impoverished; (3) prohibiting a determination of potential income for a parent who is incarcerated; and (4) repealing provisions that limit the circumstances under which a child support payment may not be considered past due and arrearages may not accrue during (and for a specified time after) a period of an obligor's incarceration.

**HB508/SB550 - Children - Labor Trafficking** alter the definition of abuse as it relates to child in need of assistance (CINA) proceedings and the reporting and investigation of suspected child abuse and neglect to include "labor trafficking" of a child by any individual, thereby expanding existing reporting and procedural requirements to apply to suspected labor trafficking. The bills also generally expand the purpose of the Safe Harbor Regional Navigator Grant Program to incorporate serving youth victims of labor trafficking.

**HB542/SB668 - Department of Human Services - Children in Foster Care - Luggage** require the Department of Human Services (DHS) to provide new luggage to a child in foster care who is entering foster care, moving from one foster care placement to another, or exiting foster care. DHS is prohibited from using disposable bags or trash bags to transport any items of a child in foster care. DHS may solicit and accept gifts, grants, and donations of any kind and from any source to carry out the bill.

**HB833 - Parents in Substance Use Disorder Treatment - Children in Need of Assistance and Treatment Facilities** establishes a presumption, for purposes of child in need of assistance matters, that if a parent is receiving treatment in a residential substance use disorder treatment program that has beds or services for patients' children and the child is in the presence of the child's parent for the duration of the parent's treatment (1) placement with the child's parent is in the best interest of the child and there is not an emergency situation that requires the removal of the child and (2) a child is receiving proper care and attention.

**SB439 Family Law - Victims of Domestic Violence Program - Certification and Grant Fund** establishes the Victims of Domestic Violence Program Grant Fund, to be administered by the Governor's Office of Crime Prevention and Policy, to provide grants to public or private nonprofit comprehensive domestic violence programs certified by the federally recognized State domestic violence coalition. The bill authorizes the Governor to include in the annual budget bill an appropriation of \$5.0 million for the fund and further requires domestic violence programs, as established under existing statute, to be certified by the federally recognized State domestic violence coalition as a comprehensive domestic violence program.

**SB708 - Family Law - Kinship Care** generally alters statutory provisions relating to the kinship care program within DHS to further prioritize placing children in need of out-of-home placement with kinship caregivers. Notably, among other provisions, the bill (1) expands the definition of a “kinship caregiver” by including a kinship parent and other individuals (related or unrelated) who have specified bonds or connections with the child or have otherwise been identified by the child’s parent; (2) requires the placement of a child with a kinship caregiver if a kinship caregiver is located subsequent to the child’s placement in a foster care setting; and (3) specifies, if a kinship caregiver cannot be located, considerations that must be taken into account when placing a child in out-of-home care.

### **Courts & Judicial Proceedings**

**HB125/SB159 - Courts - Military Records - Recordation and Inspection** authorize the clerk of the circuit court of each county to keep an electronic record instead of a book for purposes of recording and indexing the discharge papers of a person who has served in the uniformed services of the United States. In addition to other changes, the bills also alter the aforementioned exception by (1) removing the requirements that good cause be shown and the requestor be a relative of the person who is the subject of the discharge papers and (2) adding as a prerequisite to inspection that the clerk of the circuit court redact the Social Security number of the person in interest from the record.

**HB432 - Courts and Judicial Proceedings and Criminal Procedure - Technical Corrections - References to Intellectual Disability** generally replaces the term “mental retardation” with “intellectual disability” in the Courts and Judicial Proceedings Article and the Criminal Procedure Article. All related references are also replaced.

**HB589/SB809 - Dorchester County - County Applicants - Polygraph Examination** exempt an applicant for employment as (1) a paramedic or an emergency medical technician with the Emergency Medical Services Division in the Dorchester County Department of Emergency Services or (2) a 9-1-1-specialist at the Dorchester County 9-1-1 Center in the Dorchester County Department of Emergency Services from the prohibition against an employer requiring or demanding, as a condition of employment, prospective employment, or continued employment, that an individual submit to or take a polygraph examination.

**HB592/SB688 - Prince George's County - Judgeships - Circuit Courts** alter the number of resident judges of the circuit court by adding one additional judgeship in Prince George’s County, thereby increasing the number of resident circuit court judges in the county to 25.

**HB664/SB575 - Court Personnel - Protection of Personal Information (Judge Andrew F. Wilkinson Judicial Security Act)** establish the Office of Information Privacy (OIP) in the Administrative Office of the Courts (AOC). A “protected individual,” or OIP (on behalf of a protected individual), is authorized to make a request for a person or governmental entity to not publish “personal information” of the protected individual (or to remove such information from an existing publication), as specified. The bills establish related requirements and procedures, as well as civil remedies for noncompliance, and provide that an individual may not knowingly publish the personal information of a protected individual if (1) the individual knows or

reasonably should know that publishing the personal information poses an imminent and serious threat to the protected individual and (2) the publishing results in an assault in any degree, harassment, trespass, or malicious destruction of property. A violator is guilty of a misdemeanor and subject to a maximum penalty of 18 months imprisonment and/or a \$5,000 fine. In addition, OIP must establish and administer a Judicial Address Confidentiality Program for the general purpose of safeguarding the actual address of a program participant in relation to public records or inspection, including the shielding of real property records, as specified. Finally, the bills create the Task Force to Ensure the Safety of Judicial Facilities, staffed by AOC.

**SB19 Failure to Pay Rent Proceedings - Shielding of Court Records** requires the District Court, within 60 days after the final resolution of a failure to pay rent proceeding that did not result in a judgment of possession, to shield from public inspection all related court records. The District Court may shield all court records relating to a failure to pay rent proceeding that results in a judgment of possession if certain requirements are met. Specifically, on motion of a tenant, the court may shield court records relating to a proceeding that resulted in a judgment of possession if (1) the tenant demonstrates by a preponderance of the evidence that the tenant exercised the right of redemption (i.e., paid all past due amounts as determined by the court as well as any court-awarded costs or fees) and at least 12 months have passed since the final resolution of the proceeding that the tenant seeks to shield or (2) the District Court determines that there is good cause to shield the records. A shielded record may only be opened on a written request by the tenant or pursuant to a District Court order for good cause shown. To facilitate the bill's requirements, the Judiciary must develop and publish on its website a specified form by October 1, 2024.

**SB119 - Legally Protected Health Care - Gender-Affirming Treatment** expands the definition of "legally protected health care" to include all gender-affirming treatment that is lawful in the State. As a result, gender-affirming treatment is subject to specified protections and prohibitions under current law. Chapters 246 and 247 of 2023 established additional protections for information related to "legally protected health care" when that information is sought by another state. The Acts also prohibit (1) a health occupations board from taking specified disciplinary actions related to the provision of legally protected health care; (2) a medical professional liability insurer from taking specified adverse actions against a practitioner related to the practice of legally protected health care; and (3) specified State entities, agents, and employees from participating in any interstate investigation seeking to impose specified liabilities or sanctions against a person for activity related to legally protected health care.

### **Civil Actions and Procedures**

**HB137 - Civil Actions - Civil Immunity - Educator Intervention** establishes that a member of the administrative, educational, or support staff of any public, private, or parochial school acting in an official capacity is immune from civil liability for any personal injury or property damage resulting from an intervention in an altercation between students or other student disturbance if (1) the member intervened in a reasonably prudent manner and (2) the member's actions do not constitute grossly negligent, willful, wanton, or intentionally tortious conduct.

**HB723 - Office of the Attorney General - Rights of Residents of Health Care Facilities - Injunctive Relief** authorizes the Attorney General, to prevent irreparable harm to residents, to seek injunctive relief on behalf of the State on the basis of an imminent or ongoing violation of a specified basic right of residents of a facility or assisted living program. The Attorney General may not duplicate corrective action imposed by the Maryland Department of Health for the same violation.

**HB832/SB839 - General Provisions - Damages or Losses - Definition** specify that in statutory causes of action created by the Maryland Code to protect civil rights or consumer rights, “damages” or “losses” (1) mean money claimed by, or ordered to be paid to, a person as compensation for loss or injury resulting from the violation of the person’s rights or protections and (2) includes reasonable nominal damages.

**HB895/SB793 - Maryland Tort Claims Act - Sheriffs and Deputy Sheriffs - County Responsibility** clarify the responsibilities of the State and local governments and establish related procedures for tort claims filed in State court under the Maryland Tort Claims Act against a sheriff or deputy sheriff engaged in a “detention center function” or “law enforcement function.” The bills also express the intent of the General Assembly regarding various provisions of the bills and cooperation and collaboration between specified stakeholders regarding allocation of responsibility for these tort claims.

**HB947 - Civil Actions - Public Nuisances - Firearm Industry Members (Gun Industry Accountability Act of 2024)** (1) prohibits a “firearm industry member” from knowingly creating, maintaining, or contributing to harm to the public through the sale, manufacture, distribution, importation, or marketing of a firearm-related product by engaging in conduct that is unlawful or unreasonable under the totality of the circumstances; (2) requires a firearm industry member to establish and implement “reasonable controls” regarding the sale, manufacture, distribution, importation, marketing, possession, and use of the firearm industry member’s firearm-related products; and (3) establishes that a violation of these provisions is a public nuisance. The bill further authorizes the Attorney General, a county attorney, or the Baltimore City Solicitor to bring an action against a firearm industry member for a public nuisance, as specified.

**SB452 - Courts - Prohibited Liability Agreements - Recreational Facilities** establishes that, except for a health club services agreement for services to be rendered for an adult, any provision in a contract or agreement relating to the use of a “recreational facility” that purports to limit the recreational facility’s liability or release the recreational facility from, or indemnify or hold harmless the recreational facility against, liability for injury caused by or resulting from the negligence or other wrongful act of the recreational facility (or its agents or on-duty employees) is against public policy and is void and unenforceable. A “recreational facility” is a commercial recreational facility, a commercial athletic facility, or an amusement attraction. Gymnasiums and swimming pools are specifically included as recreational facilities under the bill. However, the following are specifically excluded from the definition of a “recreational facility”: (1) a “lodging establishment” that does not own, maintain, or operate a recreational facility that is available for use by the general public; and (2) a unit of State or local government that leases land or facilities to a recreational facility. The bill’s provisions may not be interpreted to affect, extend, or limit

the liability of a governmental entity for a tort or other claim subject to the Maryland Tort Claims Act or the Local Government Tort Claims Act.

**SB680 - State Government - Attorney General - Determinations and Settlements** is an emergency bill that establishes procedural requirements and options for the State in obtaining relief in an action brought by the State arising from or related to alleged or threatened injuries to the environment, infrastructure, or the natural resources of the State associated with the March 2024 collision of the Dali cargo ship into the Francis Scott Key Bridge.

The bill requires a judge or jury in an applicable action to (1) make a determination of the total liability, including damages, costs, and any other available relief; (2) assign comparative responsibility to each party joined in the action, based on the party's relative degree of fault or responsibility for the total liability; and (3) determine the liability of a group of related persons on a collective basis, if required by equity. If the State does not obtain complete relief from a responsible person who has resolved their liability through a settlement with the State, the State may continue to pursue an action against or bring a new action against any other responsible person who has not resolved the person's liability to the State. If a responsible person resolves the person's liability to the State in a settlement of an applicable action, the person may not be liable for claims for noncontractual contribution or indemnity regarding any action or claim resolved in the settlement. A settlement of an applicable action that resolves the liability of a responsible person does not release from liability any other responsible person except as specifically provided in the terms of the settlement. However, it does reduce the potential liability of all other responsible persons liable in whole or in part by the larger of the settling person's proportionate share of liability or the amount the settling person pays to settle the action.

The Maryland Uniform Contribution Among Joint Tortfeasors Act does not apply to an action governed by the bill's provisions. The bill may not be construed to impair any express contractual rights; create new types of actions or claims; alter the burden of proof, causation standard, or elements of an action or claim governed by the bill; or grant authority to the State or the Attorney General to bring actions or claims not otherwise authorized by law.

**SB873 - Courts - Immunity From Liability - Maryland Safe Haven Program** expands the Maryland Safe Haven Program, administered by the Department of Human Services (DHS), by allowing a person to leave an unharmed newborn at a "designed facility" including a hospital, the office of a licensed medical provider, police department, volunteer fire company, or other facility designated by DHS regulation. The bill extends the time period, from 10 to 60 days after the birth of a newborn, for a person to leave an unharmed newborn with a responsible adult or designated facility without being subject to civil liability or criminal prosecution. A designated facility may receive a newborn in a newborn safety device meeting certain requirements.

### **Drunk & Drugged Driving**

**HB105 - Drunk Driving Offenses – Ignition Interlock System Program** expands mandatory participation in the Maryland Ignition Interlock System Program (IISP) to include (1) an individual who is granted probation before judgment (PBJ) for driving while under the influence

of alcohol or under the influence of alcohol per se (current law requires IISP participation for a person convicted of these offenses) and (2) an individual who is convicted of or granted PBJ for driving while impaired by alcohol. The bill also authorizes an individual who is granted a PBJ for driving while under the influence of alcohol, under the influence of alcohol per se, or impaired by alcohol to file a petition for expungement under specified circumstances.

## **Corrections**

**HB94/SB187 - Correctional Services - Inmate Employment - Agricultural Work** repeal the authority of the Division of Correction to arrange for the employment of inmates in agricultural work at specified camps.

**HB115 - Criminal Procedure - Victims' Rights - Notification of Release From Confinement (Jaycee Webster Victims' Rights Act)** requires a commitment unit to include the telephone number of the Maryland Crime Victims Resource Center in a specified required notification given to a victim, victim's representative, or witness regarding the release from confinement of a sentenced defendant or child respondent.

**HB123/SB260 (CH97/CH98) Division of Parole and Probation - Criteria for Earned Compliance Credit - Exception for Supervision Fees** alter the definition of "earned compliance credit" to exclude specified monthly supervision fees in order to allow an individual under the supervision of the Division of Parole and Probation to accrue earned compliance credit, even if the individual is not current on the payment of the supervision fee.

**HB209/SB623 - Prison Education Delivery Reform Commission** establish the Prison Education Delivery Reform Commission. The commission must work with stakeholders to (1) develop an education-focused statewide framework of policies to invest in strategies to increase public safety and reduce recidivism of adult offenders, using a data-driven approach; (2) research best practices for the primary, secondary, postsecondary, and career or vocational education of those who are subject to the criminal and juvenile justice systems; (3) identify measures to mitigate risk factors that contribute to adult contact with the criminal justice system, with a focus on education; and (4) evaluate current workforce programs and their effectiveness.

**HB222/SB251 (CH99/CH100) - Correctional Services - Division of Pretrial Detention and Services - Facilities** update obsolete references to facilities and positions within the Division of Pretrial Detention and Services (DPDS).

**HB531 - Correctional Services – Parole Supervision Fees and Drug and Alcohol Abuse Test Payment – Repeal** repeals the requirement for the Maryland Parole Commission (MPC) to assess a monthly \$50 fee as a condition of supervision as well as the authorization for the Division of Parole and Probation (DPP) to require an individual on parole and supervised by DPP to pay for any drug and alcohol testing ordered by MPC.

**HB565/SB36 - Correctional Services - Investigation of Suspected Homicide - Reporting** require the Department of State Police to annually report on the number of investigations it completes pursuant to a statutory requirement that it investigate any death of an incarcerated



individual in the custody of the Division of Correction suspected to be a homicide, and the number of cases referred for prosecution pursuant to that requirement.

**HB1037/SB1036 - Task Force on the Creation of a Division of Returning Citizens and Expanded Reentry Services - Establishment** establish the Task Force on the Creation of a Division of Returning Citizens and Expanded Reentry Services. The task force must (1) identify and assess the reentry services that exist in the State; (2) identify gaps in reentry services currently provided in the State; (3) assess the markers of successful reentry; (4) ensure that the recommendations of the task force equally consider returning citizens regardless of gender; (5) develop a plan to establish a Division of Returning Citizens within the Department of Public Safety and Correctional Services; and (6) develop a plan to expand services for individuals in the State after release from incarceration.

**HB1329 - Division of Parole and Probation – Private Home Detention Monitoring – Earned Compliance Credits** authorizes individuals under supervision by a private home detention monitoring agency to receive earned compliance credit.

**SB134 - Office of the Correctional Ombudsman - Establishment and Funding** establishes the Office of the Correctional Ombudsman (OCO) as an independent unit of State government, headed by a Correctional Ombudsman who is appointed by the Governor with the advice and consent of the Senate. In response to a complaint or on OCO's own initiative, OCO must investigate any administrative act by the Department of Public Safety and Correctional Services (DPSCS) that OCO determines may be contrary to law or regulation, based on a mistake of fact, unsupported by sufficient evidence, performed in an inefficient manner, unreasonable under the totality of the circumstances, or otherwise erroneous. In addition, OCO must conduct independent reviews and assessments relating to (1) health and mental health services provided to individuals confined by DPSCS; (2) plans for the expansion, renovation, or closure of DPSCS facilities; (3) educational and vocational programs for individuals confined by DPSCS; and (4) DPSCS policies on restrictive and protective housing. Finally, the bill transfers the Juvenile Justice Monitoring Unit, which performs similar functions in relation to juveniles in the custody of the Department of Juvenile Services, to be under OCO.

**SB273 (CH101) State and Local Correctional Facilities - Operation of Unmanned Aircraft - Image Recording and Delivery of Contraband** prohibits a person from intentionally operating an unmanned aircraft over a correctional facility for the purpose of photographing or recording images of the correctional facility through the use of the unmanned aircraft unless authorized to do so. The Act also prohibits a person from using an unmanned aircraft to deliver any contraband to a person detained or confined in a place of confinement. A violator of either of these prohibitions is guilty of a misdemeanor and subject to maximum penalties of imprisonment for three years and/or a \$1,000 fine.

**SB402 - Correctional Training Commission - Membership - Alterations** alters the membership of the Correctional Training Commission by (1) removing the representative of the Federal Bureau of Prisons; (2) increasing the number of correctional officers; (3) repealing the requirement that one of the correctional officers on the commission be an employee of the Department of Juvenile Services; and (4) requiring that correctional facilities from each geographic region of the State be represented on the commission.

**SB468 - Criminal Law - Private Home Detention Monitoring - Notification** alters notification requirements for home detention monitoring agencies when monitored individuals violate the conditions of their pretrial release or probation and authorizes the Secretary of Public Safety and Correctional Services to impose civil penalties on private home detention monitoring agencies that fail to provide the required notice.

**SB1095 - Workgroup on Home Detention Monitoring** reestablishes the Workgroup on Home Detention Monitoring to study and make recommendations regarding the costs and availability of both publicly and privately provided pretrial home detention monitoring systems. By December 31 each year, the workgroup must submit a report of its findings and recommendations to the General Assembly.

**SB1098 - Correctional Services - Diminution Credits - Sexual Offenses** prohibits the earning of diminution credits by an individual serving a sentence for first-degree rape, regardless of the age of the victim, that occurred on or after October 1, 2024.

### **Real Property**

**HB372/SB354 - Montgomery County and Prince George's County - Rent Court Workforce Solutions Pilot Program** establish the Rent Court Workforce Solutions Pilot Program in Montgomery and Prince George's counties. The programs are to provide individuals in failure to pay rent cases with workforce resources and information on workforce development, registered apprenticeships, and other employment opportunities. In fiscal 2026 through 2028, the Governor must include in the annual budget bill an appropriation of \$200,000 to be used for the pilot program.

**HB498/SB147 - Real Property - Access to Counsel in Evictions Program - Mandated Reports** alter the annual reporting requirements for the Access to Counsel in Evictions Program that is administered by the Maryland Legal Services Corporation to include the following information for the immediately preceding fiscal year: (1) the number of cases in which a covered individual was provided legal representation, disaggregated by case type; (2) the amount paid to attorneys for each case managed; (3) the geographic distribution of cases; (4) data on the disposition of cases decided; (5) the amount of State and federal funds allocated to each designated organization providing legal representation; and (6) the number of covered individuals provided legal representation for multiple cases.

**HB693 - Renters' Rights and Stabilization Act of 2024** establishes the Office of Tenant and Landlord Affairs (OTLA) within the Department of Housing and Community Development (DHCD). Among other provisions, the bill (1) extends the period between granting judgment for possession in favor of a landlord and the execution of the warrant of restitution; (2) establishes a tenant's right of first refusal (and an exclusive negotiation period) prior to the sale of certain residential rental property; and (3) expands the categories of eviction data that must be collected by the Judiciary and provided to DHCD.

The bill further increases the maximum surcharge imposed by the District Court in summary ejectment (failure to pay rent) cases. The bill requires these surcharges to be assessed against a landlord and prohibits them from being awarded or assigned as a fee or cost against a residential tenant. However, a court may authorize a landlord to deduct assessed surcharges from a tenant's security deposit if a judgment for possession is entered in favor of the landlord, and the lease agreement provides that the surcharge may be assessed against the tenant under such circumstances. The deduction may not exceed the amount of the security deposit. The bill also increases the maximum surcharge in other civil cases before the District Court and the circuit courts. As a result of these increases in the maximum surcharges, significant additional funding is anticipated to be available for the Maryland Legal Services Corporation and the Statewide Rental Assistance Voucher Program within DHCD.

**HB1308 - Real Property - Recordation of Instrument With False Information - Penalties and Actions to Quiet Title** prohibits a person from recording a deed or other instrument that the person knows contains false information, including information related to the ownership of the property. A violator is guilty of a misdemeanor and subject to a maximum penalty of a \$500 fine. Prosecution must be initiated within three years after the offense was committed. Additionally, unless the defendant disclaims any interest in the title of the property in the answer or allows judgment to be taken without answer, the bill authorizes a court to award either party costs and reasonable attorney's fees in an action to quiet title, if a claim or defense in the case is related to an alleged recordation of a deed or other instrument with false information.

### **Estates & Trusts**

**HB324/SB75 - Maryland Uniform Transfers to Minors Act - Transfers as Custodian for the Benefit of a Minor - Authorization of Court** increase the threshold monetary amount – from \$10,000 to \$25,000 – above which specified transfers by a personal representative, trustee, or conservator to a custodian under the Maryland Uniform Transfers to Minors Act require court authorization.

**HB325/SB164 - Estates and Trusts - Interested Person - Definition** alter the definition of an “interested person” by (1) establishing that a legatee ceases to be an interested person if the legatee's interest has been fully paid or fully adeemed; (2) adding as an interested person a surviving spouse who has timely filed an election to take an elective share unless the election is withdrawn or ruled ineffective by a court; (3) adding as an interested person a person who timely files a petition to caveat a will until the caveat proceeding has been disposed of; and (3) establishing that an assignee of a legatee or an heir is not an interested person.

**HB326/SB80 - Estates and Trusts - Appointment of Personal Representative - Objections** alter the provision in the notice of appointment of the personal representative by limiting those whom the notice indicates may object to the appointment of the personal representative to “all interested persons or unpaid claimants” rather than “all persons.” Under the bills, all persons continue to have standing to object to the probate of a will.

**HB528/SB116 - Orphans' Court Judges - Restriction on Practicing Law** modify an existing prohibition (that does not apply equally in all counties and Baltimore City) against an orphans'

court judge practicing law during a term of office. The bills narrow the prohibition and make it equally applicable to all counties and Baltimore City. Under the bills, an orphans' court judge is prohibited from acting as an attorney at law in a civil or criminal matter during a term of office if the matter is (1) within the jurisdiction of the orphans' court in any county or Baltimore City and related to the administration of an estate or a guardianship of a minor or (2) related to the preparation of an estate plan or estate planning documents that might come within the jurisdiction of the court in any county or Baltimore City following the death of any individual.

**HB1258 - Estates and Trusts - Estate Administration - Publication of Notice** requires the register of wills of each county and Baltimore City to coordinate to establish and maintain a centralized website for use by all registers of wills to publish notice as required under the Estates and Trusts Article. The bill also requires publication of specified notices on the centralized website, instead of publication in a newspaper of general circulation in the appropriate county (or counties); specifically, notices of (1) appointment of a personal representative of an estate; (2) judicial probate of an estate; (3) appointment of a foreign personal representative and estate information; and (4) a meeting for distribution of the net estate by the court. The bill also repeals requirements that a foreign personal representative or personal representative publish specified notices in a newspaper.

More information about these bills and other legislation can be found at the Maryland General Assembly's website [mgaleg.maryland.gov](http://mgaleg.maryland.gov), or please contact the House Judiciary Committee at 410-841-3488 or by email at [luke.clippinger@house.state.md.us](mailto:luke.clippinger@house.state.md.us).

Best regards,

A handwritten signature in cursive script that reads "Luke Clippinger".

Chair Luke Clippinger