

# SENATE BILL 836

F1, E2

0lr2904  
CF 0lr2445

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By: **Senators Lenett, Frosh, Garagiola, King, Madaleno, Pugh, and Raskin**

Introduced and read first time: February 10, 2010

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Students Arrested for Reportable Offenses – Prohibition Against**  
3 **Attending School with Victim**

4 FOR the purpose of authorizing a local school superintendent and a school principal to  
5 prohibit a student who is arrested for a reportable offense from attending the  
6 same school or riding on the same school bus as the alleged victim under certain  
7 circumstances; prohibiting a student who is convicted of or adjudicated  
8 delinquent for a reportable offense involving rape or a sexual offense from  
9 attending the same school or riding on the same school bus as the alleged  
10 victim; and generally relating to the protection of students who are victims of  
11 reportable offenses.

12 BY repealing and reenacting, with amendments,  
13 Article – Education  
14 Section 7–303(g)  
15 Annotated Code of Maryland  
16 (2008 Replacement Volume and 2009 Supplement)

17 BY adding to  
18 Article – Education  
19 Section 7–303(g)  
20 Annotated Code of Maryland  
21 (2008 Replacement Volume and 2009 Supplement)

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

24 **Article – Education**

25 7–303.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(G) (1)**   **EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (2) OF THIS**  
2 **SUBSECTION, THE LOCAL SUPERINTENDENT AND THE SCHOOL PRINCIPAL MAY**  
3 **PROHIBIT A STUDENT WHO IS ARRESTED FOR A REPORTABLE OFFENSE FROM**  
4 **ATTENDING THE SAME SCHOOL OR RIDING ON THE SAME SCHOOL BUS AS THE**  
5 **ALLEGED VICTIM OF THE REPORTABLE OFFENSE IF SUCH ACTION IS NECESSARY**  
6 **OR APPROPRIATE TO PROTECT THE PHYSICAL OR PSYCHOLOGICAL**  
7 **WELL-BEING OF THE ALLEGED VICTIM.**

8           **(2)**   **IF A STUDENT IS ARRESTED FOR A REPORTABLE OFFENSE**  
9 **INVOLVING RAPE OR A SEXUAL OFFENSE AND IS CONVICTED OF OR**  
10 **ADJUDICATED DELINQUENT FOR THE RAPE OR SEXUAL OFFENSE, THE STUDENT**  
11 **MAY NOT ATTEND THE SAME SCHOOL OR RIDE ON THE SAME SCHOOL BUS AS**  
12 **THE ALLEGED VICTIM.**

13           **[(g)] (H)**   Nothing in this section is intended to limit the manner in which a  
14 local school obtains information or uses information obtained by any lawful means  
15 other than that set forth in subsections (b), (c), and (e) of this section.

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2010.