

# HOUSE BILL 1320

E1, O4

2lr2556

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By: **Delegates Arikan, Boteler, Howard, Kipke, McComas, Shoemaker, and Szeliga**  
Introduced and read first time: February 11, 2022  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Sexual Crimes – Allowing Minor Who Is a Previous Offender to**  
3 **Be in the Presence of Another Minor**

4 FOR the purpose of prohibiting a certain parent or legal guardian of a certain minor from  
5 allowing the minor to be in the presence of another minor without certain adult  
6 supervision; and generally relating to sexual crimes.

7 BY adding to

8 Article – Criminal Law

9 Section 3–326

10 Annotated Code of Maryland

11 (2021 Replacement Volume and 2021 Supplement)

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

14 **Article – Criminal Law**

15 **3–326.**

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

18 **(2) “KNOWING PARENT OR LEGAL GUARDIAN” MEANS A PARENT OR**  
19 **LEGAL GUARDIAN OF A MINOR WHOM THE PARENT OR LEGAL GUARDIAN KNOWS OR**  
20 **SHOULD KNOW IS A PREVIOUS OFFENDER.**

21 **(3) “PREVIOUS OFFENDER” MEANS A MINOR WHO HAS COMMITTED A**  
22 **CRIME OR CRIMES PROHIBITED UNDER THIS SUBTITLE AGAINST ANOTHER MINOR**  
23 **OR MINORS, WHETHER OR NOT:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(I) THE CRIME OR CRIMES WERE REPORTED TO LAW**  
2 **ENFORCEMENT; OR**

3                   **(II) THE PREVIOUS OFFENDER WAS CHARGED WITH, CONVICTED**  
4 **OF, OR FOUND RESPONSIBLE FOR THE CRIME OR CRIMES.**

5           **(B) A KNOWING PARENT OR LEGAL GUARDIAN OF A PREVIOUS OFFENDER**  
6 **MAY NOT ALLOW THE PREVIOUS OFFENDER TO BE IN THE PRESENCE OF ANOTHER**  
7 **MINOR WITHOUT ADULT SUPERVISION ADEQUATE TO PREVENT THE PREVIOUS**  
8 **OFFENDER FROM HARMING THE OTHER MINOR.**

9           **(C) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY**  
10 **OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**  
11 **EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.**

12           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2022.