

# HOUSE BILL 615

F1, F2, F5  
HB 1114/23 – W&M

4lr2105  
CF SB 512

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By: **Delegates Ruth, Allen, Amprey, Bartlett, Charkoudian, Fair, Feldmark, Guyton, Hill, Lehman, R. Lewis, McCaskill, Mireku–North, Pasteur, Phillips, Simpson, Taveras, and Terrasa**

Introduced and read first time: January 25, 2024

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Prohibited Behavior on School Grounds and Property – Application**

3 FOR the purpose of specifying that provisions of law prohibiting and penalizing certain  
4 disruptive and threatening behavior on certain school grounds and property do not  
5 apply to students who commit offenses at the institution they attend or students who  
6 commit offenses at another institution while participating in or attending a sporting  
7 event or other extracurricular program sponsored at that institution; and generally  
8 relating to the application of provisions of law that prohibit and penalize disruptive  
9 and threatening behavior on school grounds and property.

10 BY repealing and reenacting, with amendments,  
11 Article – Education  
12 Section 26–101  
13 Annotated Code of Maryland  
14 (2022 Replacement Volume and 2023 Supplement)

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

17 **Article – Education**

18 26–101.

19 (a) **THE PROHIBITIONS AND PENALTIES IN THIS SECTION DO NOT APPLY TO**  
20 **A PERSON WHO IS:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(1) A STUDENT CURRENTLY ATTENDING THE INSTITUTION OF**  
2 **ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHERE THE OFFENSE OCCURS;**  
3 **OR**

4           **(2) A STUDENT CURRENTLY ATTENDING ANOTHER INSTITUTION OF**  
5 **ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHO IS PARTICIPATING IN OR**  
6 **ATTENDING A SPORTING EVENT OR OTHER EXTRACURRICULAR PROGRAM**  
7 **SPONSORED BY THE INSTITUTION WHERE THE OFFENSE OCCURS.**

8           **(B)** A person may not willfully disturb or otherwise willfully prevent the orderly  
9 conduct of the activities, administration, or classes of any institution of elementary,  
10 secondary, or higher education.

11           **[(b)] (C)** A person may not molest or threaten with bodily harm any student,  
12 employee, administrator, agent, or any other individual who is lawfully:

13           (1) On the grounds or in the immediate vicinity of any institution of  
14 elementary, secondary, or higher education;

15           (2) On a school vehicle;

16           (3) At an activity sponsored by a school that is held off school property; or

17           (4) On property that is owned by a county board and is used for  
18 administrative or other purposes.

19           **[(c)] (D) (1) [A] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**  
20 **person may not threaten with bodily harm any employee of any institution of elementary,**  
21 **secondary, or higher education at home by any means, including in person, by telephone,**  
22 **or by electronic mail. [This]**

23           **(2) THE prohibition IN PARAGRAPH (1) OF THIS SUBSECTION** applies  
24 **only to threats arising out of the scope of the employee's employment.**

25           **[(d)] (E)** In addition to the penalties provided in this section or in § 6–409 of the  
26 Criminal Law Article, on application by the governing board of any institution of  
27 elementary, secondary, or higher education, the circuit court of the county in which the  
28 institution is located may issue an injunction restraining any specific activities that violate  
29 this section.

30           **[(e)] (F)** Any person who violates any provision of this section is guilty of a  
31 misdemeanor and on conviction is subject to a fine not exceeding \$2,500, imprisonment not  
32 exceeding 6 months, or both.

33           **[(f)] (G) (1)** On or before December 1, 2022, and each December 1 thereafter,  
34 each county board of education, including the Baltimore City Board of School

1 Commissioners, shall report to the Department on the number of school disruptions in the  
2 county in violation of this section for the immediately preceding school year.

3 (2) A county board shall report the information required under paragraph  
4 (1) of this subsection in the following manner:

5 (i) The disruptions shall be sorted into the following categories:

- 6 1. Attendance;
- 7 2. Arson, fire, or explosives;
- 8 3. Dangerous substances;
- 9 4. Sex offenses; and
- 10 5. Attack with a weapon, threats, or fighting; and

11 (ii) Each incident of disruption shall be disaggregated by:

- 12 1. The race, ethnicity, disability status, and gender of the  
13 individual;
- 14 2. The actions taken against an individual by the local school  
15 or county board resulting from a violation, including suspensions of fewer than 10 days,  
16 suspensions of 10 days or more, and expulsions; and
- 17 3. Referrals for prosecution.

18 (3) On or before February 1, 2023, and each February 1 thereafter, the  
19 Department shall submit to the Maryland Center for School Safety and, in accordance with  
20 § 2–1257 of the State Government Article, the General Assembly a report on incidents of  
21 school disruptions in public schools in the State from a compilation of the reports submitted  
22 to the Department under paragraph (1) of this subsection and disaggregated in the manner  
23 required under paragraph (2) of this subsection.

24 (4) Each county board shall include information on school disruptions from  
25 the 2018–2019 and 2019–2020 school years in its report to the Department for the report  
26 due on December 1, 2022.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
28 1, 2024.