

HOUSE BILL 1400

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4lr3057
CF SB 1032

By: **Delegates Tomlinson, Alston, Amprey, Anderton, Bouchat, Edelson,
Hornberger, Miller, M. Morgan, and Rose**

Introduced and read first time: February 9, 2024

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Student Use of Force – Authorization**

3 FOR the purpose of authorizing a student to take reasonable action necessary to prevent
4 violence on school premises or on a school–sponsored trip; authorizing a student to
5 use reasonable force necessary to protect themselves or escape an attack under
6 certain circumstances; requiring the principal or school administration to investigate
7 each student use of force incident; prohibiting a school employee from disciplining a
8 student under certain circumstances; and generally relating to student use of force
9 incidents.

10 BY repealing and reenacting, with amendments,
11 Article – Education
12 Section 7–307(a)
13 Annotated Code of Maryland
14 (2022 Replacement Volume and 2023 Supplement)

15 BY adding to
16 Article – Education
17 Section 7–311
18 Annotated Code of Maryland
19 (2022 Replacement Volume and 2023 Supplement)

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

22 **Article – Education**

23 7–307.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) A principal, teacher, school security guard, **STUDENT**, or other school
2 system personnel in any public school may take reasonable action necessary to prevent
3 violence on school premises or on a school-sponsored trip, including intervening in a fight
4 or physical struggle that takes place in his or her presence, whether the fight is among
5 students or other individuals.

6 (2) The degree and force of the intervention may be as reasonably
7 necessary to prevent violence, restore order and to protect the safety of the combatants and
8 surrounding individuals.

9 **7-311.**

10 **(A) A STUDENT WHO IS PHYSICALLY ATTACKED ON SCHOOL PROPERTY**
11 **DURING SCHOOL HOURS MAY USE FORCE REASONABLY NECESSARY TO PROTECT**
12 **THEMSELVES OR TO ESCAPE THE ATTACK.**

13 **(B) (1) THE PRINCIPAL OR SCHOOL ADMINISTRATION SHALL**
14 **INVESTIGATE EACH USE OF FORCE INCIDENT DESCRIBED UNDER SUBSECTION (A)**
15 **OF THIS SECTION.**

16 **(2) A SCHOOL EMPLOYEE MAY NOT DISCIPLINE A STUDENT WHO,**
17 **AFTER THE INVESTIGATION REQUIRED UNDER PARAGRAPH (1) OF THIS**
18 **SUBSECTION, MORE LIKELY THAN NOT USED FORCE CONSISTENT WITH SUBSECTION**
19 **(A) OF THIS SECTION.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
21 1, 2024.