

HOUSE BILL 638

E2, E3

5lr0736

By: **Delegates Grammer and Arikan**

Introduced and read first time: January 23, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Juveniles – Sexual Offenses – Registration and Reporting Requirements**

3 FOR the purpose of requiring a person who has been adjudicated delinquent for an act that,
4 if committed by an adult, would constitute a certain sexual offense to register as a
5 juvenile sex offender; requiring a juvenile registrant to remain on the juvenile sex
6 offender registry until the registrant reaches a certain age under certain
7 circumstances; expanding the definition of “reportable offense” to include certain
8 sexual offenses in provisions of law requiring law enforcement agencies and State’s
9 Attorneys to notify schools when a child is arrested for certain offenses; and generally
10 relating to juveniles and sexual offenses.

11 BY repealing and reenacting, with amendments,
12 Article – Criminal Procedure
13 Section 11–704(c)(1) and 11–704.1
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2024 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Education
18 Section 7–303(a)(1)
19 Annotated Code of Maryland
20 (2022 Replacement Volume and 2024 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Education
23 Section 7–303(a)(6)
24 Annotated Code of Maryland
25 (2022 Replacement Volume and 2024 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Criminal Procedure**

2 11–704.

3 (c) (1) A person who has been adjudicated delinquent for an act that, if
4 committed by an adult, would constitute a violation of § 3–303 or § 3–304 of the Criminal
5 Law Article, § 3–305 or § 3–306 of the Criminal Law Article as the sections existed before
6 October 1, 2017, or [§ 3–307(a)(1) or (2)] **§ 3–307** or § 3–308(b)(1) of the Criminal Law
7 Article [involving conduct described in § 3–301(e)(2) of the Criminal Law Article], shall
8 register with the person’s supervising authority if:

9 (i) the person was a minor who was at least 13 years old at the time
10 the delinquent act was committed;

11 (ii) the State’s Attorney or the Department of Juvenile Services
12 requests that the person be required to register;

13 (iii) 90 days prior to the time the juvenile court’s jurisdiction over the
14 person terminates under § 3–8A–07 of the Courts Article, the court, after a hearing,
15 determines under a clear and convincing evidence standard that the person is at significant
16 risk of committing a sexually violent offense or an offense for which registration as a tier II
17 sex offender or tier III sex offender is required; and

18 (iv) the person is at least 18 years old.

19 11–704.1.

20 (a) In this section, “juvenile registrant” means a person who is required to be
21 included in the registry of juvenile sex offenders under subsection (b) of this section.

22 (b) A person shall be included in a registry of juvenile sex offenders that is
23 maintained by the Department separately from the sex offender registry if:

24 (1) the person has been adjudicated delinquent for an act that, if committed
25 by an adult:

26 (i) would constitute a violation of § 3–303, § 3–304, or [§ 3–307(a)(1)
27 or (2)] **§ 3–307** of the Criminal Law Article; or

28 (ii) would constitute a violation of § 3–305 or § 3–306(a)(1) or (2) of
29 the Criminal Law Article as the sections existed before October 1, 2017; and

30 (2) the person was a minor who was at least 14 years old at the time the
31 delinquent act was committed.

1 (c) The registry of juvenile sex offenders shall be accessible only by law
2 enforcement personnel for law enforcement purposes.

3 (d) **(1) [When] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
4 **SUBSECTION, WHEN** the juvenile court's jurisdiction over a juvenile registrant terminates
5 under § 3-8A-07 of the Courts Article, the juvenile registrant shall be removed from the
6 registry.

7 **(2) IF A JUVENILE COURT'S JURISDICTION OVER A JUVENILE**
8 **REGISTRANT TERMINATES BEFORE THE JUVENILE REGISTRANT REACHES 21 YEARS**
9 **OF AGE, THE JUVENILE REGISTRANT SHALL REMAIN ON THE REGISTRY UNTIL THE**
10 **REGISTRANT REACHES 21 YEARS OF AGE.**

11 (e) A juvenile registrant shall appear in person at a location designated by the
12 Department of Juvenile Services every 3 months to:

13 (1) update and verify with the Department of Juvenile Services the
14 information included in the registry of juvenile sex offenders under this section; and

15 (2) allow the Department of Juvenile Services to take a digital image of the
16 juvenile registrant.

17 Article – Education

18 7-303.

19 (a) (1) In this section the following words have the meanings indicated.

20 (6) "Reportable offense" means an offense that:

21 (i) Occurred off school premises;

22 (ii) Did not occur at an event sponsored by the school; and

23 (iii) Involved any of the following:

24 1. A crime of violence, as defined in § 14-101 of the Criminal
25 Law Article;

26 2. Any of the offenses enumerated in [§ 3-8A-03(e)(4)] §
27 **3-8A-03(D)(4)** of the Courts Article;

28 3. A violation of § 4-101, § 4-102, § 4-203, or § 4-204 of the
29 Criminal Law Article;

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1 4. A violation of § 5–602, § 5–603, § 5–604, § 5–605, § 5–606,
2 § 5–607, § 5–608, § 5–608.1, § 5–609, § 5–612, § 5–613, § 5–614, § 5–617, § 5–618, § 5–627,
3 or § 5–628 of the Criminal Law Article;

4 5. A violation of § 4–503, § 9–504, or § 9–505 of the Criminal
5 Law Article;

6 6. A violation of § 6–102, § 6–103, § 6–104, or § 6–105 of the
7 Criminal Law Article;

8 7. A violation of § 9–802 or § 9–803 of the Criminal Law
9 Article;

10 8. A violation of § 3–203 of the Criminal Law Article;

11 9. A violation of § 6–301 of the Criminal Law Article;

12 10. A violation of § 9–302, § 9–303, or § 9–305 of the Criminal
13 Law Article;

14 11. A violation of § 7–105 of the Criminal Law Article;

15 12. A violation of § 6–202 of the Criminal Law Article; [or]

16 13. A violation of § 10–606 of the Criminal Law Article; **OR**

17 14. **A VIOLATION OF § 3–307 OF THE CRIMINAL LAW**
18 **ARTICLE.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2025.