

HOUSE BILL 683

E1, E3, E2

5lr2173

By: **Delegates Grammer, Arikan, Chisholm, Fisher, McComas, M. Morgan,
Nawrocki, and Szeliga**

Introduced and read first time: January 24, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Criminal or Delinquent Act of a Child – Liability of a Parent,**
3 **Guardian, or Custodian**

4 FOR the purpose of prohibiting the parent, guardian, or custodian of a child from
5 intentionally, knowingly, recklessly, or negligently acting or failing to act in a
6 manner that results in the child committing a crime or delinquent act; requiring an
7 individual convicted under this Act to participate in certain proceedings and
8 programs and establishing the failure to do so as contempt of court; requiring the
9 court to order a parent, guardian, or custodian to pay certain court costs and
10 restitution related to a child's crime or delinquent act; and generally relating to
11 liability for a child's criminal or delinquent act.

12 BY repealing and reenacting, with amendments,
13 Article – Courts and Judicial Proceedings
14 Section 3–8A–28 and 3–8A–29
15 Annotated Code of Maryland
16 (2020 Replacement Volume and 2024 Supplement)

17 BY adding to
18 Article – Criminal Law
19 Section 1–403
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2024 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Criminal Procedure
24 Section 11–604
25 Annotated Code of Maryland
26 (2018 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Courts and Judicial Proceedings**

4 3–8A–28.

5 The court may enter a judgment of restitution against the parent, **GUARDIAN, OR**
6 **CUSTODIAN** of a child[,] **OR** the child[, or both] as provided under Title 11, Subtitle 6 of
7 the Criminal Procedure Article.

8 3–8A–29.

9 **[A] EXCEPT AS PROVIDED IN § 3–610 OF THE CRIMINAL LAW ARTICLE,** A court
10 may not order a parent, guardian, custodian, or child to pay:

11 (1) A fine, fee, or cost under this subtitle; or

12 (2) A sum of money to cover the support of a child under this subtitle.

13 **Article – Criminal Law**

14 **1–403.**

15 **(A) A PARENT, GUARDIAN, OR CUSTODIAN OF A CHILD MAY NOT**
16 **INTENTIONALLY, KNOWINGLY, RECKLESSLY, OR NEGLIGENTLY ACT OR FAIL TO ACT**
17 **IN A MANNER THAT RESULTS IN THE CHILD COMMITTING A CRIME OR DELINQUENT**
18 **ACT.**

19 **(B) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A**
20 **MISDEMEANOR AND ON CONVICTION:**

21 **(1) IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 30 DAYS, OR A**
22 **FINE NOT EXCEEDING \$2,500, OR BOTH;**

23 **(2) SHALL PARTICIPATE IN:**

24 **(I) ALL COURT PROCEEDINGS RELATED TO THE CHILD’S**
25 **DELINQUENT OR CRIMINAL ACT; AND**

26 **(II) ALL TREATMENT, COUNSELING, OR DIVERSION PROGRAMS**
27 **THE COURT ORDERS THE CHILD TO PARTICIPATE IN; AND**

28 **(3) SHALL PAY ANY COURT COSTS RELATED TO THE CHILD’S**
29 **DELINQUENT OR CRIMINAL ACT.**

