

Department of Legislative Services
 Maryland General Assembly
 2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 588
 Judiciary

(Delegate Grammer, *et al.*)

Juveniles - Reportable Offenses

This bill requires the Department of Juvenile Services (DJS), for a student committed to its custody, to notify the local superintendent and the school principal of a school in which the student has enrolled or to which the student has been transferred of (1) the student’s arrest for a reportable offense or an offense that is related to the student’s membership in a criminal organization and (2) the disposition of any charges resulting from the arrest. DJS must also provide information regarding any educational programming and related services provided to the student. The bill also extends various provisions of current law regarding the permissible treatment of information obtained about a reportable offense to the information shared pursuant to the bill’s requirements. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: General fund expenditures for DJS increase by *as much as* \$172,600 in FY 2026, as discussed below. Future years reflect annualization, inflation, and ongoing costs. The Maryland State Department of Education (MSDE) can implement the bill using existing budgeted resources. Revenues are not affected.

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	172,600	79,300	82,200	85,200	88,200
Net Effect	(\$172,600)	(\$79,300)	(\$82,200)	(\$85,200)	(\$88,200)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill is not anticipated to materially affect local finances or operations.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: A reportable offense is an offense that (1) occurred off school premises; (2) did not occur at an event sponsored by the school; and (3) includes a crime of violence, as defined in § 14-101 of the Criminal Law Article, and numerous other specified weapons-, drug-, assault-, and theft-related offenses.

Under current law, if a student is arrested for a reportable offense or an offense related to the student's membership in a criminal organization, the law enforcement agency making the arrest must notify, within 24 hours of an arrest or as soon as practicable, the local superintendent and the school principal. A school security officer must also be notified, for a school with such an officer. The law enforcement officer *may* also notify the State's Attorney of the arrest and charges. The State's Attorney must promptly notify either the local superintendent or the school principal of the disposition of such offenses.

Except by order of a juvenile court or other court on good cause shown, such information is confidential and may not be redisclosed by subpoena or otherwise and may not be part of the student's permanent educational record. However, under current law, a local superintendent or school principal is not prohibited from transmitting this information as a confidential file to the local superintendent of another public school system in the State or another nonpublic school in the State in which the student has been enrolled or transferred if the disposition of the reportable offense was a conviction or an adjudication of delinquency or if the criminal charge or delinquency petition is still pending. The bill authorizes information received from DJS pursuant to the bill's new notification requirement to also be transmitted.

The State Board of Education must adopt regulations to ensure that the information obtained is (1) used to provide appropriate educational programming and related services to the student and to maintain a safe and secure school environment and (2) transmitted only to school personnel of the school in which the student is enrolled as necessary to carry out this purpose. Regulations must also ensure that the information is destroyed when the student graduates or otherwise permanently leaves school or reaches age 22, whichever occurs first. The bill extends these provisions to information received from DJS, as required by the bill.

Reporting Requirements

On or before December 30 of each year, MSDE must submit a report to the Governor and the General Assembly containing specified information regarding each reportable offense for which a local school system received information that is related to a student's membership in a criminal organization. The bill expands this requirement to include the information reported by DJS to school personnel pursuant to the bill.

Under current law, if a student is removed or excluded from the student's regular school program for a reportable offense, the principal or county superintendent must invite the student's attorney, if the student has an attorney, to participate in the conference between the student or the student's parent or guardian and the principal or county superintendent, and the manifestation determination review, if applicable.

Education of Children by the Department of Juvenile Services

Chapter 147 of 2021 requires DJS, through its Juvenile Services Education Board, to provide educational programming to the youth committed in its detention or treatment facilities. Educational programming provided by DJS is not available for children on community detention, who otherwise attend their local school.

State Expenditures: DJS advises that its case management system must be upgraded in order to properly research and report accurate data as required under the bill, resulting in \$100,000 in general fund expenditures in fiscal 2026, and maintenance costs of \$15,000 each year thereafter.

DJS further advises it requires eight administrative staff (assigned to various geographic regions) to proactively research and report instances a child committed to its custody has been arrested. The Department of Legislative Services acknowledges that the bill imposes additional notification requirements on DJS but generally disagrees with the magnitude of department's personnel-related estimate. To the extent that DJS requires additional personnel to comply with the bill, this estimate assumes that one additional employee is sufficient. Should actual workloads indicate such a need for personnel, DJS general fund personnel expenditures increase *by as much as* \$72,622 in fiscal 2026 and \$73,183 by fiscal 2030.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 214 of 2022.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Department of Juvenile Services; Baltimore City Public Schools; Anne Arundel County Public Schools; Baltimore County Public Schools; Montgomery County Public Schools; Department of Legislative Services

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