

Chapter 480

(Senate Bill 634)

AN ACT concerning

Office of the State Prosecutor – Investigation of Threats – Judges

FOR the purpose of authorizing the State Prosecutor to investigate threats against a judge or a judge–elect; and generally relating to the investigation of threats by the Office of the State Prosecutor.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–708
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 14–107
Annotated Code of Maryland
(2025 Replacement Volume)

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

Article – Criminal Law

3–708.

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

(2) “Local official” means an individual serving in a publicly elected office of a local government unit, as defined in § 10–101 of the State Government Article.

(3) (i) “State official” has the meaning stated in § 5–101 of the General Provisions Article.

(ii) “State official” includes the Governor, Governor–elect, Lieutenant Governor, and Lieutenant Governor–elect.

(4) “Threat” includes:

(i) an oral threat; or

(ii) a threat in any written form, whether or not the writing is signed, or if the writing is signed, whether or not it is signed with a fictitious name or any other mark.

(b) A person may not knowingly and willfully make a threat to take the life of, kidnap, or cause physical injury to a State official, a local official, a deputy State's Attorney, an assistant State's Attorney, or an assistant Public Defender.

(c) A person may not knowingly send, deliver, part with, or make for the purpose of sending or delivering a threat prohibited under subsection (b) of this section.

(d) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$2,500 or both.

Article – Criminal Procedure

14–107.

(a) (1) Except as provided in paragraph (2) of this subsection, the State Prosecutor may investigate:

(i) a criminal offense under the State election laws;

(ii) a criminal offense under the State Public Ethics Law;

(iii) a violation of the State bribery laws in which an official or employee of the State, a political subdivision of the State, or a bicounty or multicounty unit of the State was the offeror, offeree, or intended offeror or offeree of a bribe;

(iv) an offense constituting criminal malfeasance, misfeasance, or nonfeasance in office committed by an officer or employee of the State, of a political subdivision of the State, or of a bicounty or multicounty unit of the State;

(v) a violation of the State extortion, perjury, or obstruction of justice laws related to an activity described in this paragraph; [and]

(vi) a criminal offense related to voting in a municipal election under § 4–108.1 of the Local Government Article; AND

(VII) A VIOLATION OF § 3–708 OF THE CRIMINAL LAW ARTICLE IF THE VIOLATION WAS COMMITTED AGAINST A JUDGE OR JUDGE–ELECT.

(2) The State Prosecutor may not investigate an offense alleged to have been committed by the State Prosecutor or a member of the State Prosecutor's staff.

(3) The State Prosecutor may investigate an alleged offense under paragraph (1) of this subsection on the State Prosecutor's own initiative or on request of:

- (i) the Governor;
- (ii) the Attorney General;
- (iii) the General Assembly;
- (iv) the State Ethics Commission; or
- (v) a State's Attorney.

(4) An individual who is advised by the State Prosecutor that the individual is under investigation under paragraph (1)(iv) of this subsection may release this information to the public, as well as any results of the investigation that pertain to the individual.

(b) On request of the Governor, the Attorney General, the General Assembly, or a State's Attorney, the State Prosecutor may investigate criminal activity that is committed:

- (1) partly in the State and partly in another jurisdiction; or
- (2) in more than one political subdivision of the State.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, May 12, 2026.