

Chapter 542

(Senate Bill 294)

AN ACT concerning

Criminal Procedure – Protection of Identity of Victim of Sexual Assault or Stalking

FOR the purpose of prohibiting a court or a party in a criminal or juvenile delinquency case from disclosing or allowing inspection of a certain court filing or record to a nonparty unless the court or the party redacts certain identifying information relating to a certain victim of sexual assault or victim of stalking that appears in the filing or record, subject to a certain exception; requiring a court to redact certain identifying information relating to a certain victim of sexual assault or victim of stalking from an existing filing or record on certain request; providing for disclosure or inspection of a certain record or filing by a certain health occupations board; and generally relating to protection of victims.

BY repealing and reenacting, with amendments,
 Article – Criminal Procedure
 Section 11–301
 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 Procedure

11–301.

~~(a) On motion of the State or on request of a victim or witness, during a criminal trial or a juvenile delinquency adjudicatory hearing, a court may prohibit the release of the address or telephone number of the victim or witness unless the court determines that good cause is shown for the release of the information.~~

~~(b)~~ (1) ~~(i)~~ In this ~~subsection~~ **SECTION** the following words have the meanings indicated.

~~(ii)~~ **(2)** “Identifying information” means the name of, and any other information that could reasonably be expected to identify, a minor victim, **A VICTIM OF SEXUAL ASSAULT, OR A VICTIM OF STALKING.**

~~(iii)~~ **(3)** “Minor victim” means [a] **AN ALLEGED** victim of a crime or delinquent act who was a minor at the time that the crime or delinquent act occurred.

~~(IV)~~ (4) “VICTIM OF SEXUAL ASSAULT” MEANS AN ALLEGED VICTIM OF SEXUALLY ASSAULTIVE BEHAVIOR AS DEFINED IN § 10-923 OF THE COURTS ARTICLE OR A CRIME UNDER TITLE 3, SUBTITLE 11 OF THE CRIMINAL LAW ARTICLE.

~~(V)~~ (5) “VICTIM OF STALKING” MEANS AN ALLEGED VICTIM OF STALKING AS DEFINED IN § 3-802 OF THE CRIMINAL LAW ARTICLE.

(B) ON MOTION OF THE STATE OR ON REQUEST OF A VICTIM OR WITNESS, DURING A CRIMINAL TRIAL OR A JUVENILE DELINQUENCY ADJUDICATORY HEARING, A COURT MAY PROHIBIT THE RELEASE OF THE ADDRESS OR TELEPHONE NUMBER OF THE VICTIM OR WITNESS UNLESS THE COURT DETERMINES THAT GOOD CAUSE IS SHOWN FOR THE RELEASE OF THE INFORMATION.

~~(2)~~ (C) Notwithstanding any other law, on notice that an electronic or paper filing includes identifying information of a minor victim, unless the court finds by clear and convincing evidence that there is good cause to order otherwise, the court or a party in a criminal or juvenile delinquency case may not disclose or allow inspection of an electronic or paper court filing, including a charging document, to a nonparty to the criminal or juvenile delinquency case unless the court or the party disclosing or allowing inspection of the filing redacts all identifying information that appears in the filing.

~~(3)~~ (D) (1) NOTWITHSTANDING ANY OTHER LAW, ON NOTICE THAT A CASE FILING OR RECORD INCLUDES IDENTIFYING INFORMATION OF A VICTIM OF SEXUAL ASSAULT OR A VICTIM OF STALKING, UNLESS THE COURT FINDS CLEAR AND CONVINCING EVIDENCE THAT THERE IS GOOD CAUSE TO ORDER OTHERWISE, THE COURT OR A PARTY IN A CRIMINAL OR JUVENILE DELINQUENCY CASE MAY NOT DISCLOSE OR ALLOW INSPECTION OF AN ELECTRONIC OR PAPER COURT FILING OR RECORD, INCLUDING A CHARGING DOCUMENT, TO A NONPARTY TO THE CRIMINAL OR JUVENILE DELINQUENCY CASE, EXCEPT TO THE VICTIM OR THE VICTIM’S REPRESENTATIVE, UNLESS THE COURT OR THE PARTY DISCLOSING OR ALLOWING INSPECTION OF THE FILING OR RECORD REDACTS ALL IDENTIFYING INFORMATION THAT APPEARS IN THE FILING OR RECORD.

~~(4)~~ (2) ON WRITTEN REQUEST OF A VICTIM OF SEXUAL ASSAULT OR A VICTIM OF STALKING, THE COURT SHALL REDACT IDENTIFYING INFORMATION RELATING TO THE VICTIM FROM AN EXISTING FILING OR RECORD.

(3) (I) 1. A HEALTH OCCUPATIONS BOARD THAT HAS LICENSED OR CERTIFIED THE DEFENDANT OR RESPONDENT MAY PETITION THE COURT TO ORDER THE DISCLOSURE OR ALLOW INSPECTION OF AN UNREDACTED FILING OR RECORD DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION FOR THE PURPOSE OF

INVESTIGATING OR OTHERWISE DISCIPLINING THE DEFENDANT OR RESPONDENT FOR SEXUAL MISCONDUCT IN ACCORDANCE WITH § 1-212 OF THE HEALTH OCCUPATIONS ARTICLE.

2. THE HEALTH OCCUPATIONS BOARD SHALL SERVE NOTICE OF THE PETITION ON EACH PARTY IN THE CASE.

(II) AFTER RECEIVING NOTICE OF A PETITION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE'S ATTORNEY SHALL NOTIFY EACH VICTIM IN THE CASE:

1. THAT A PETITION HAS BEEN FILED TO RELEASE THE VICTIM'S IDENTIFYING INFORMATION TO A HEALTH OCCUPATIONS BOARD FOR THE PURPOSE OF DISCIPLINE AGAINST THE DEFENDANT OR RESPONDENT;

2. OF THE TYPE OF INFORMATION THAT MAY BE RELEASED TO THE BOARD;

3. HOW THE VICTIM MAY OBJECT TO THE DISCLOSURE TO OR INSPECTION OF THE UNREDACTED FILING OR RECORD; AND

4. OF THE SEXUAL ASSAULT CRISIS PROGRAMS CERTIFIED UNDER § 11-923 OF THIS TITLE.

(III) UNLESS A VICTIM IN THE CASE OBJECTS, AN INVESTIGATION OR OTHER DISCIPLINARY ACTION TAKEN BY A HEALTH OCCUPATIONS BOARD AGAINST A DEFENDANT IN ACCORDANCE WITH § 1-212 OF THE HEALTH OCCUPATIONS ARTICLE IS GOOD CAUSE TO ALLOW DISCLOSURE OR INSPECTION OF AN UNREDACTED FILING OR RECORD.

(IV) A HEALTH OCCUPATIONS BOARD THAT OBTAINS A FILING OR RECORD UNDER THIS PARAGRAPH MAY NOT PUBLICLY DISCLOSE THE RECORD OR FILING.

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

Approved by the Governor, May 12, 2026.