

HOUSE BILL 172

L3
HB 748/25 – JUD

(PRE-FILED)

6lr1142

By: **Delegates Schindler, Behler, Miller, and Pasteur**

Requested: October 9, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Municipalities – Enforcement Officers – Body–Worn Cameras**

3 FOR the purpose of including a certain municipal enforcement officer in the definition of
4 “law enforcement officer” for purposes of a certain exception to prohibitions against
5 wiretapping and electronic surveillance relating to the use of body–worn cameras by
6 law enforcement officers; authorizing a municipality to adopt an ordinance or a
7 resolution authorizing a certain enforcement officer to utilize body–worn cameras;
8 requiring a municipality that adopts a certain ordinance or resolution to publish a
9 certain policy; and generally relating to enforcement officers and body–worn
10 cameras.

11 BY repealing and reenacting, without amendments,
12 Article – Courts and Judicial Proceedings
13 Section 10–402(a)
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2025 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Courts and Judicial Proceedings
18 Section 10–402(c)(11)
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2025 Supplement)

21 BY adding to
22 Article – Local Government
23 Section 6–103.1
24 Annotated Code of Maryland
25 (2013 Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

Article – Courts and Judicial Proceedings

10–402.

(a) Except as otherwise specifically provided in this subtitle it is unlawful for any person to:

(1) Willfully intercept, endeavor to intercept, or procure any other person to intercept or endeavor to intercept, any wire, oral, or electronic communication;

(2) Willfully disclose, or endeavor to disclose, to any other person the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subtitle; or

(3) Willfully use, or endeavor to use, the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subtitle.

(c) (11) (i) 1. In this paragraph the following words have the meanings indicated.

2. “Body–worn digital recording device” means a device worn on the person of a law enforcement officer or a correctional officer that is capable of recording video and intercepting oral communications.

3. “Electronic control device” has the meaning stated in § 4–109 of the Criminal Law Article.

4. “LAW ENFORCEMENT OFFICER” INCLUDES A MUNICIPAL ENFORCEMENT OFFICER DULY AUTHORIZED UNDER § 6–103.1 OF THE LOCAL GOVERNMENT ARTICLE TO USE A BODY–WORN CAMERA DURING THE COURSE OF THE OFFICER’S DUTIES.

(ii) It is lawful under this subtitle for a law enforcement officer or a correctional officer in the course of the officer’s regular duty to intercept an oral communication with a body–worn digital recording device or an electronic control device capable of recording video and oral communications if:

1. The law enforcement officer or correctional officer is in uniform or prominently displaying the officer’s badge or other insignia;

2. The law enforcement officer or correctional officer is making reasonable efforts to conform to standards in accordance with § 3–511 of the Public Safety Article or § 8–211 of the Correctional Services Article for the use of body–worn digital recording devices or electronic control devices capable of recording video and oral communications;

3. The law enforcement officer or correctional officer is a party to the oral communication;

4. Law enforcement or the correctional officer notifies, as soon as is practicable, the individual that the individual is being recorded, unless it is unsafe, impractical, or impossible to do so; and

5. The oral interception is being made as part of a videotape or digital recording.

(iii) Failure to notify under subparagraph (ii)4 of this paragraph does not affect the admissibility in court of the recording if the failure to notify involved an individual who joined a discussion in progress for which proper notification was previously given.

Article – Local Government

6–103.1.

(A) IN THIS SECTION, “ENFORCEMENT OFFICER” MEANS AN EMPLOYEE OR AGENT OF A MUNICIPALITY WHO IS AUTHORIZED TO ACT AS A CODE ENFORCEMENT, PARKING ENFORCEMENT, OR TRAFFIC ENFORCEMENT OFFICER FOR THE MUNICIPALITY.

(B) A MUNICIPALITY MAY ADOPT AN ORDINANCE OR A RESOLUTION AUTHORIZING AN ENFORCEMENT OFFICER TO UTILIZE A BODY–WORN CAMERA DURING THE COURSE OF THE ENFORCEMENT OFFICER’S DUTIES.

(C) A MUNICIPALITY THAT ADOPTS AN ORDINANCE OR A RESOLUTION UNDER SUBSECTION (B) OF THIS SECTION SHALL DEVELOP AND PUBLISH A POLICY FOR THE ISSUANCE AND USE OF A BODY–WORN CAMERA BY AN ENFORCEMENT OFFICER THAT IS CONSISTENT WITH THE POLICY PUBLISHED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION UNDER § 3–511 OF THE PUBLIC SAFETY ARTICLE FOR THE ISSUANCE AND USE OF BODY–WORN CAMERAS BY LAW ENFORCEMENT OFFICERS.

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