

HOUSE BILL 491

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By: **Delegate Phillips**

Introduced and read first time: January 27, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Victims of Sexually Assaultive Behavior – Request for**
3 **Verbal Acknowledgement**

4 FOR the purpose of prohibiting a law enforcement agency from making a certain request
5 for verbal acknowledgement in an interaction with a certain victim; and generally
6 relating to victims of sexually assaultive behavior.

7 BY repealing and reenacting, with amendments,
8 Article – Criminal Procedure
9 Section 11–929
10 Annotated Code of Maryland
11 (2025 Replacement Volume)

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

14 **Article – Criminal Procedure**

15 11–929.

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

17 (2) “Law enforcement agency” has the meaning stated in § 3–201(d) of the
18 Public Safety Article.

19 (3) “Sexually assaultive behavior” has the meaning stated in § 10–923 of
20 the Courts Article.

21 (4) “Victim” means any person suspected to have been subjected to sexually
22 assaultive behavior or who claims to have been subjected to sexually assaultive behavior.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) In an interaction with a victim, a law enforcement agency may not present to the victim a form **OR MAKE A REQUEST FOR VERBAL ACKNOWLEDGEMENT** purporting to:

(1) relieve the law enforcement agency of an obligation to the victim;

(2) preclude or define the scope of an investigation by the law enforcement agency into an act allegedly committed against the victim;

(3) prevent or limit a prosecution of an act allegedly committed against the victim; or

(4) limit a private right of action of the victim pertaining to an act allegedly committed against the victim or the victim's interaction with the law enforcement agency.

(c) If a victim requests that the scope of an investigation be limited or that an investigation be temporarily or permanently suspended, the law enforcement agency shall:

(1) thoroughly document the request; and

(2) follow up with the victim in accordance with practices recommended by the Maryland Police Training and Standards Commission.

(d) If a law enforcement agency violates this section, an affected victim may bring an action seeking injunctive or declaratory relief.

(e) (1) On or before January 1, 2021, each law enforcement agency in the State shall adopt a policy to enforce the provisions of this section.

(2) On or before January 15, 2021, each law enforcement agency shall provide a copy of the policy required under this subsection to the Maryland Sexual Assault Evidence Kit Policy and Funding Committee.

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