

HOUSE BILL 650

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6lr1917
CF SB 251

By: **Rosenberg, Cardin, Embry, Phillips, Schmidt, Stinnett, and Williams**

Introduced and read first time: January 30, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions – Maryland Uniform Public Expression Protection Act**

3 FOR the purpose of repealing a certain provision relating to strategic lawsuits against
4 public participation; authorizing a person served with a pleading asserting a certain
5 cause of action based on the person's communication related to a governmental
6 proceeding or exercise of certain constitutional rights to file a special motion for
7 expedited relief to dismiss the cause of action; and generally relating to civil actions
8 and public expression.

9 BY repealing

10 Article – Courts and Judicial Proceedings
11 Section 5–807
12 Annotated Code of Maryland
13 (2020 Replacement Volume and 2025 Supplement)

14 BY adding to

15 Article – Courts and Judicial Proceedings
16 Section 5–1301 through 5–1313 to be under the new subtitle “Subtitle 13. Maryland
17 Uniform Public Expression Protection Act”
18 Annotated Code of Maryland
19 (2020 Replacement Volume and 2025 Supplement)

20 BY renumbering

21 Article – Courts and Judicial Proceedings
22 Section 5–808
23 to be Section 5–807
24 Annotated Code of Maryland
25 (2020 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Courts and Judicial Proceedings**

4 [5–807.

5 (a) In this section, “SLAPP suit” means a strategic lawsuit against public
6 participation.

7 (b) A lawsuit is a SLAPP suit if it is:

8 (1) Brought in bad faith against a party who has communicated with a
9 federal, State, or local government body or the public at large to report on, comment on,
10 rule on, challenge, oppose, or in any other way exercise rights under the First Amendment
11 of the U.S. Constitution or Article 10, Article 13, or Article 40 of the Maryland Declaration
12 of Rights regarding any matter within the authority of a government body or any issue of
13 public concern;

14 (2) Materially related to the defendant’s communication; and

15 (3) Intended to inhibit or inhibits the exercise of rights under the First
16 Amendment of the U.S. Constitution or Article 10, Article 13, or Article 40 of the Maryland
17 Declaration of Rights.

18 (c) A defendant in a SLAPP suit is not civilly liable for communicating with a
19 federal, State, or local government body or the public at large, if the defendant, without
20 constitutional malice, reports on, comments on, rules on, challenges, opposes, or in any
21 other way exercises rights under the First Amendment of the U.S. Constitution or Article
22 10, Article 13, or Article 40 of the Maryland Declaration of Rights regarding any matter
23 within the authority of a government body or any issue of public concern.

24 (d) A defendant in an alleged SLAPP suit may move to:

25 (1) Dismiss the alleged SLAPP suit, in which case the court shall hold a
26 hearing on the motion to dismiss as soon as practicable; or

27 (2) Stay all court proceedings until the matter about which the defendant
28 communicated to the government body or the public at large is resolved.

29 (e) This section:

30 (1) Is applicable to SLAPP suits notwithstanding any other law or rule; and

31 (2) Does not diminish any equitable or legal right or remedy otherwise
32 available to a defendant in a SLAPP suit.]

1 **SUBTITLE 13. MARYLAND UNIFORM PUBLIC EXPRESSION PROTECTION ACT.**2 **5-1301.**3 **(A)** IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
4 INDICATED.5 **(B)** “GOODS OR SERVICES” DOES NOT INCLUDE THE CREATION,
6 DISSEMINATION, EXHIBITION, OR ADVERTISEMENT OR SIMILAR PROMOTION OF A
7 DRAMATIC, LITERARY, MUSICAL, POLITICAL, JOURNALISTIC, OR ARTISTIC WORK.8 **(C)** “GOVERNMENTAL UNIT” MEANS A PUBLIC CORPORATION OR A
9 GOVERNMENT OR GOVERNMENTAL SUBDIVISION, AGENCY, OR INSTRUMENTALITY.10 **(D)** “PERSON” MEANS AN INDIVIDUAL, AN ESTATE, A TRUST, A
11 PARTNERSHIP, A BUSINESS OR NONPROFIT ENTITY, A GOVERNMENTAL UNIT, OR ANY
12 OTHER LEGAL ENTITY.13 **5-1302.**14 **(A)** EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THIS
15 SUBTITLE APPLIES TO A CAUSE OF ACTION ASSERTED IN A CIVIL ACTION AGAINST A
16 PERSON BASED ON THE PERSON’S:17 **(1)** COMMUNICATION IN A LEGISLATIVE, EXECUTIVE, JUDICIAL,
18 ADMINISTRATIVE, OR OTHER GOVERNMENTAL PROCEEDING;19 **(2)** COMMUNICATION ON AN ISSUE UNDER CONSIDERATION OR
20 REVIEW IN A LEGISLATIVE, EXECUTIVE, JUDICIAL, ADMINISTRATIVE, OR OTHER
21 GOVERNMENTAL PROCEEDING; OR22 **(3)** EXERCISE OF THE RIGHT OF FREEDOM OF SPEECH OR OF THE
23 PRESS, THE RIGHT TO ASSEMBLE OR PETITION, OR THE RIGHT OF ASSOCIATION,
24 GUARANTEED BY THE UNITED STATES CONSTITUTION, THE MARYLAND
25 CONSTITUTION, OR THE MARYLAND DECLARATION OF RIGHTS, ON A MATTER OF
26 PUBLIC CONCERN.27 **(B)** THIS SUBTITLE DOES NOT APPLY TO A CAUSE OF ACTION ASSERTED:28 **(1)** AGAINST A GOVERNMENTAL UNIT OR AN EMPLOYEE OR AGENT OF
29 A GOVERNMENTAL UNIT ACTING OR PURPORTING TO ACT IN AN OFFICIAL CAPACITY;

8 5-1303.

9 NOT LATER THAN 60 DAYS AFTER A PARTY IS SERVED WITH A COMPLAINT,
10 PETITION, CROSSCLAIM, COUNTERCLAIM, THIRD-PARTY CLAIM, OR OTHER
11 PLEADING THAT ASSERTS A CAUSE OF ACTION TO WHICH THIS SUBTITLE APPLIES,
12 OR AT A LATER TIME ON A SHOWING OF GOOD CAUSE, THE PARTY MAY FILE A
13 SPECIAL MOTION FOR EXPEDITED RELIEF TO DISMISS THE CAUSE OF ACTION OR
14 PART OF THE CAUSE OF ACTION.

15 5-1304.

16 (A) EXCEPT AS PROVIDED IN SUBSECTIONS (D) THROUGH (G) OF THIS
17 SECTION, ON THE FILING OF A MOTION UNDER § 5-1303 OF THIS SUBTITLE:

26 (B) A STAY UNDER SUBSECTION (A) OF THIS SECTION REMAINS IN EFFECT
27 UNTIL ENTRY OF AN ORDER RULING ON THE MOTION UNDER § 5-1303 OF THIS
28 SUBTITLE AND EXPIRATION OF THE TIME UNDER § 5-1309 OF THIS SUBTITLE FOR
29 THE MOVING PARTY TO APPEAL THE ORDER.

30 (C) (1) EXCEPT AS PROVIDED IN SUBSECTIONS (E), (F), AND (G) OF THIS
31 SECTION, IF A PARTY APPEALS FROM AN ORDER RULING ON A MOTION UNDER §
32 5-1303 OF THIS SUBTITLE, ALL PROCEEDINGS BETWEEN ALL PARTIES IN THE
33 ACTION ARE STAYED.

3 **(D) DURING A STAY UNDER SUBSECTION (A) OF THIS SECTION, THE COURT**
4 **MAY ALLOW LIMITED DISCOVERY IF:**

8 (2) THE INFORMATION IS NOT REASONABLY AVAILABLE UNLESS
9 DISCOVERY IS ALLOWED.

10 (E) A MOTION UNDER § 5-1310 OF THIS SUBTITLE FOR COSTS, ATTORNEY'S
11 FEES, AND EXPENSES IS NOT SUBJECT TO A STAY UNDER THIS SECTION.

12 (F) A STAY UNDER THIS SECTION DOES NOT AFFECT A PARTY'S ABILITY TO:

15 (2) MOVE TO SEVER A CAUSE OF ACTION.

16 (G) DURING A STAY UNDER THIS SECTION, THE COURT FOR GOOD CAUSE
17 SHOWN MAY HEAR AND RULE ON:

18 (1) A MOTION UNRELATED TO THE MOTION UNDER § 5-1303 OF THIS
19 SUBTITLE; OR

20 (2) A MOTION SEEKING A SPECIAL OR PRELIMINARY INJUNCTION TO
21 PROTECT AGAINST AN IMMINENT THREAT TO PUBLIC HEALTH OR SAFETY.

22 5-1305.

23 (A) THE COURT SHALL HEAR A MOTION UNDER § 5-1303 OF THIS SUBTITLE
24 NOT LATER THAN 60 DAYS AFTER THE FILING OF THE MOTION, UNLESS THE COURT
25 ORDERS A LATER HEARING:

(1) TO ALLOW DISCOVERY UNDER § 5–1304(D) OF THIS SUBTITLE; OR

27 (2) FOR OTHER GOOD CAUSE SHOWN.

1 **(B) IF THE COURT ORDERS A LATER HEARING UNDER SUBSECTION (A)(1) OF**
2 **THIS SECTION, THE COURT SHALL HEAR THE MOTION UNDER § 5-1303 OF THIS**
3 **SUBTITLE NOT LATER THAN 60 DAYS AFTER THE COURT ORDER ALLOWING THE**
4 **DISCOVERY, UNLESS THE COURT ORDERS A LATER HEARING UNDER SUBSECTION**
5 **(A)(2) OF THIS SECTION.**

6 **5-1306.**

7 **IN RULING ON A MOTION UNDER § 5-1303 OF THIS SUBTITLE, THE COURT**
8 **SHALL CONSIDER:**

9 **(1) THE PLEADINGS;**

10 **(2) THE MOTION;**

11 **(3) ANY REPLY OR RESPONSE TO THE MOTION; AND**

12 **(4) ANY EVIDENCE THAT COULD BE CONSIDERED IN RULING ON A**
13 **MOTION FOR SUMMARY JUDGMENT IN ACCORDANCE WITH THE MARYLAND RULES.**

14 **5-1307.**

15 **(A) IN RULING ON A MOTION UNDER § 5-1303 OF THIS SUBTITLE, THE**
16 **COURT SHALL DISMISS WITH PREJUDICE A CAUSE OF ACTION OR A PART OF A CAUSE**
17 **OF ACTION IF:**

18 **(1) THE MOVING PARTY ESTABLISHES UNDER § 5-1302(A) OF THIS**
19 **SUBTITLE THAT THIS SUBTITLE APPLIES;**

20 **(2) THE RESPONDING PARTY FAILS TO ESTABLISH UNDER §**
21 **5-1302(B) OF THIS SUBTITLE THAT THIS SUBTITLE DOES NOT APPLY; AND**

22 **(3) (I) THE RESPONDING PARTY FAILS TO ESTABLISH A PRIMA**
23 **FACIE CASE AS TO EACH ESSENTIAL ELEMENT OF THE CAUSE OF ACTION; OR**

24 **(II) THE MOVING PARTY ESTABLISHES THAT:**

25 **1. THE RESPONDING PARTY FAILED TO STATE A CAUSE**
26 **OF ACTION UPON WHICH RELIEF CAN BE GRANTED; OR**

27 **2. THERE IS NO GENUINE ISSUE AS TO ANY MATERIAL**
28 **FACT AND THE MOVING PARTY IS ENTITLED TO JUDGMENT AS A MATTER OF LAW ON**
29 **THE CAUSE OF ACTION OR PART OF THE CAUSE OF ACTION.**

1 (B) A VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF A RESPONDING
2 PARTY'S CAUSE OF ACTION, OR PART OF A CAUSE OF ACTION, THAT IS THE SUBJECT
3 OF A MOTION UNDER § 5–1303 OF THIS SUBTITLE DOES NOT AFFECT A MOVING
4 PARTY'S RIGHT TO OBTAIN A RULING ON THE MOTION AND SEEK COSTS, ATTORNEY'S
5 FEES, AND EXPENSES UNDER § 5–1310 OF THIS SUBTITLE.

6 (C) A VOLUNTARY DISMISSAL WITH PREJUDICE OF A RESPONDING PARTY'S
7 CAUSE OF ACTION, OR PART OF A CAUSE OF ACTION, THAT IS THE SUBJECT OF A
8 MOTION UNDER § 5–1303 OF THIS SUBTITLE ESTABLISHES FOR THE PURPOSE OF §
9 5–1310 OF THIS SUBTITLE THAT THE MOVING PARTY PREVAILED ON THE MOTION.

10 **5–1308.**

11 THE COURT SHALL RULE ON A MOTION UNDER § 5–1303 OF THIS SUBTITLE
12 NOT LATER THAN 60 DAYS AFTER A HEARING UNDER § 5–1305 OF THIS SUBTITLE.

13 **5–1309.**

14 (A) A MOVING PARTY MAY APPEAL AS A MATTER OF RIGHT FROM AN ORDER
15 DENYING, IN WHOLE OR IN PART, A MOTION UNDER § 5–1303 OF THIS SUBTITLE.

16 (B) AN APPEAL UNDER THIS SECTION SHALL BE FILED NOT LATER THAN 21
17 DAYS AFTER ENTRY OF THE ORDER.

18 **5–1310.**

19 ON A MOTION UNDER § 5–1303 OF THIS SUBTITLE, THE COURT SHALL AWARD
20 COURT COSTS, REASONABLE ATTORNEY'S FEES, AND REASONABLE LITIGATION
21 EXPENSES RELATED TO THE MOTION:

22 (1) TO THE MOVING PARTY IF THE MOVING PARTY PREVAILS ON THE
23 MOTION; OR

24 (2) TO THE RESPONDING PARTY IF THE RESPONDING PARTY
25 PREVAILS ON THE MOTION AND THE COURT FINDS THAT THE MOTION WAS
26 FRIVOLOUS OR FILED SOLELY WITH INTENT TO DELAY THE PROCEEDING.

27 **5–1311.**

28 THIS SUBTITLE SHALL BE BROADLY CONSTRUED AND APPLIED TO PROTECT
29 THE EXERCISE OF THE RIGHT OF FREEDOM OF SPEECH AND OF THE PRESS, THE
30 RIGHT TO ASSEMBLE AND PETITION, AND THE RIGHT OF ASSOCIATION,

1 GUARANTEED BY THE UNITED STATES CONSTITUTION, THE MARYLAND
2 DECLARATION OF RIGHTS, AND THE MARYLAND CONSTITUTION.

3 **5-1312.**

4 IN APPLYING AND CONSTRUING THIS SUBTITLE, CONSIDERATION SHALL BE
5 GIVEN TO THE NEED TO PROMOTE UNIFORMITY OF THE LAW WITH RESPECT TO ITS
6 SUBJECT MATTER AMONG THE STATES THAT ENACT IT.

7 **5-1313.**

8 THIS SUBTITLE MAY BE CITED AS THE MARYLAND UNIFORM PUBLIC
9 EXPRESSION PROTECTION ACT.

10 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 5-808 of Article –
11 Courts and Judicial Proceedings of the Annotated Code of Maryland be renumbered to be
12 Section(s) 5-807.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to
14 apply only prospectively and may not be applied or interpreted to have any effect on or
15 application to any cause of action arising before the effective date of this Act.

16 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2026.