

HOUSE BILL 749

E2
HB 14/25 – JUD

6lr3155

By: Delegate Conaway

Introduced and read first time: February 4, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

Criminal Procedure – Theft – Notification of Victims and Victims’ Representatives

4 FOR the purpose of requiring a prosecuting attorney of certain thefts to notify the victim
5 or the victim's representative about certain information related to court proceedings;
6 and generally relating to notification to victims and victims' representatives.

7 BY repealing and reenacting, without amendments,
8 Article – Criminal Law
9 Section 7-104(g)(2) and (3)
0 Annotated Code of Maryland
1 (2021 Replacement Volume and 2025 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Criminal Procedure
14 Section 11–104
15 Annotated Code of Maryland
16 (2025 Replacement Volume)

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

Article – Criminal Law

20 7-104.

21 (g) (2) Except as provided in paragraph (3) of this subsection, a person
22 convicted of theft of property or services with a value of at least \$100 but less than \$1,500,
23 is guilty of a misdemeanor and:

24 (i) is subject to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



5 (ii) shall restore the property taken to the owner or pay the owner
6 the value of the property or services.

9 (i) is subject to imprisonment not exceeding 90 days or a fine not
10 exceeding \$500 or both; and

11 (ii) shall restore the property taken to the owner or pay the owner
12 the value of the property or services.

Article – Criminal Procedure

14 11-104.

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

16 (2) "DNA" has the meaning stated in § 2-501 of the Public Safety Article.

17 (3) "Statewide DNA database system" has the meaning stated in § 2-501
18 of the Public Safety Article.

19 (4) "Victim" means a person who suffers actual or threatened physical,
20 emotional, or financial harm as a direct result of a crime or delinquent act.

21 (5) "Victim's representative" includes a family member or guardian of a
22 victim who is:

23 (i) a minor;

24 (ii) deceased; or

25 (iii) disabled.

26 (b) On first contact with a victim or victim's representative, a law enforcement
27 officer, District Court commissioner, or juvenile intake officer shall give the victim or the
28 victim's representative the pamphlet described in § 11-914(9)(i) of this title.

7 (1) whether an evidentiary DNA profile was obtained from evidence in the
8 case;

(2) when any evidentiary DNA profile developed in the case was entered into the DNA database system; and

11 (3) when any confirmed match of the DNA profile, official DNA case report,
12 or DNA hit report is received.

13 (d) (1) Within 10 days after the filing or the unsealing of an indictment or
14 information in circuit court, whichever is later, the prosecuting attorney shall:

15 (i) mail or deliver to the victim or victim's representative the
16 pamphlet described in § 11-914(9)(ii) of this title and the notification request form
17 described in § 11-914(10) of this title; and

18 (ii) certify to the clerk of the court that the prosecuting attorney has
19 complied with this paragraph or is unable to identify the victim or victim's representative.

(i) inform the victim or victim's representative of the right to request restitution under § 11–606 of this title;

(ii) mail or deliver to the victim or victim's representative the notification request form described in § 11–914(10) of this title; and

27 (iii) certify to the clerk of the juvenile court that the prosecuting
28 attorney has complied with this paragraph or is unable to identify the victim or victim's
29 representative.

33 (e) (1) A victim or victim's representative may:

1 (i) file a completed notification request form with the prosecuting
2 attorney; or

3 (ii) follow the MDEC system protocol to request notice.

15 (4) To keep the address and electronic mail address of a victim or victim's
16 representative confidential, the victim or victim's representative shall:

17 (i) designate in the notification request form a person who has
18 agreed to receive notice for the victim or victim's representative; or

19 (ii) request as part of the MDEC system protocol, without filing a
20 motion to seal, that the address and electronic mail address remain confidential and
21 available, as necessary to only:

22 1. the court:

26 4. the Department of Juvenile Services;

1 (f) (1) Unless provided by the MDEC system, the prosecuting attorney shall
2 send a victim or victim's representative prior notice of each court proceeding in the case, of
3 the terms of any plea agreement, and of the right of the victim or victim's representative to
4 submit a victim impact statement to the court under § 11–402 of this title if:

5 (i) prior notice is practicable; and

(ii) the victim or victim's representative has filed a notification request form or followed the MDEC system protocol under subsection (e) of this section.

(2) (i) If the case is in a jurisdiction in which the office of the clerk of the circuit court or juvenile court has an automated filing system, the prosecuting attorney may ask the clerk to send the notice required by paragraph (1) of this subsection.

20 (i) the victim or victim's representative has filed a notification
21 request form or followed the MDEC system protocol under subsection (e) of this section and
22 prior notice to the victim or victim's representative is not practicable; or

23 (ii) the victim or victim's representative is not present at the
24 proceeding.

(4) Whether or not the victim or victim's representative has filed a notification request form or followed the MDEC system protocol under subsection (e) of this section, the prosecuting attorney may give the victim or victim's representative information about the status of the case if the victim or victim's representative asks for the information.

35 (I) EACH COURT PROCEEDING RELATED TO THE CASE:

1 (II) THE RIGHT OF THE VICTIM TO SUBMIT A VICTIM IMPACT
2 STATEMENT;

3 (III) ANY POSTTRIAL COURT PROCEEDINGS RELATED TO THE
4 CASE;

6 (v) ANY SENTENCE REVIEW RELATED TO THE CASE.

7 (g) If a victim or victim's representative has filed a notification request form or
8 followed the MDEC system protocol under subsection (e) of this section, the clerk of the
9 circuit court or juvenile court:

10 (1) shall include a copy of the form with any commitment order or
11 probation order that is passed or electronically transmit the form or the registration
12 information for the victim or the victim's representative through the MDEC system; and

17 (h) This section does not prohibit a victim or victim's representative from filing a
18 notification request form with a unit to which a defendant or child respondent has been
19 committed.

24 (i) the prosecuting attorney, if the case is still in a circuit court or
25 juvenile court; or

(ii) the unit to which the defendant or child respondent has been committed, if a commitment order has been issued in the case.

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