

HOUSE BILL 860

J1

6lr2545

By: ~~Delegate Alston~~ Delegates Alston, Bagnall, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaufman, Lopez, Martinez, Reilly, Rosenberg, Ross, Taveras, White Holland, and Woorman

Introduced and read first time: February 4, 2026

Assigned to: Health and Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2026

CHAPTER _____

1 AN ACT concerning

2 **Petitions for Emergency Evaluation**
3 **(Arnaud and Magruder Memorial Act)**

4 FOR the purpose of specifying that a petition for emergency evaluation is effective for a
5 certain period of time; authorizing a court, on a certain motion and ~~for good cause~~
6 ~~shown on certain findings~~, to extend a petition for a certain period of time; requiring
7 a court to include the date and time the petition expires on the petition; requiring
8 peace officers to comply with a certain provision of law when executing a petition;
9 authorizing peace officers to act in accordance with certain best practices and to be
10 joined by a mobile crisis team under certain circumstances when executing a
11 petition; and generally relating to petitions for emergency evaluation.

12 BY repealing and reenacting, with amendments,
13 Article – Health – General
14 Section 10–623 and 10–624(a)
15 Annotated Code of Maryland
16 (2023 Replacement Volume and 2025 Supplement)

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

19 **Article – Health – General**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 10-623.

2 (a) If the petitioner under Part IV of this subtitle is not a physician, psychologist,
3 clinical social worker, licensed clinical professional counselor, clinical nurse specialist in
4 psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical
5 marriage and family therapist, health officer or designee of a health officer, or peace officer,
6 the petitioner shall present the petition to the court for immediate review.

7 (b) After review of the petition, the court shall endorse the petition if the court
8 finds probable cause to believe that the emergency evaluee has shown the symptoms of a
9 mental disorder and that the individual presents a danger to the life or safety of the
10 individual or of others.

11 (c) If the court does not find probable cause, the court shall indicate that fact on
12 the petition, and no further action may be taken under the petition.

13 **(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE PETITION**
14 **SHALL BE EFFECTIVE FOR 5 DAYS AFTER BEING ENDORSED BY THE COURT UNDER**
15 **SUBSECTION (B) OF THIS SECTION.**

16 **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON**
17 **A MOTION, THE COURT MAY EXTEND THE PETITION ~~FOR GOOD CAUSE SHOWN BASED~~**
18 **~~ON THE PRESENTING BEHAVIOR OF THE INDIVIDUAL~~ FOR UP TO 5 DAYS AT A TIME,**
19 **BUT NOT TO EXCEED A TOTAL OF 30 DAYS FROM THE DATE THE PETITION WAS**
20 **ENDORSED BY THE COURT UNDER SUBSECTION (B) OF THIS SECTION, IF THE COURT**
21 **FINDS:**

22 **1. THERE WAS GOOD CAUSE AS TO WHY THE PETITION**
23 **COULD NOT BE SERVED BEFORE THE EXPIRATION OF THE PETITION; AND**

24 **2. THE GROUNDS AND CONDITIONS THAT**
25 **NECESSITATED THE ISSUANCE OF THE INITIAL PETITION STILL EXIST.**

26 **(II) 1. A MOTION UNDER SUBPARAGRAPH (I) OF THIS**
27 **PARAGRAPH MUST BE MADE BY THE ORIGINAL PETITIONER.**

28 **2. EACH EXTENSION SHALL BE BASED ON A SEPARATE**
29 **MOTION.**

30 **(3) A PETITION ENDORSED OR EXTENDED UNDER THIS SUBSECTION**
31 **SHALL BE SERVED EXPEDITIOUSLY.**

32 **(E) THE COURT SHALL INCLUDE ON THE PETITION THE DATE AND TIME THE**
33 **PETITION EXPIRES.**

1 10-624.

2 (a) (1) A peace officer shall take an emergency evaluatee to the nearest
3 emergency facility if the peace officer has a petition under Part IV of this subtitle that:

4 (i) 1. Has been endorsed by a court [within the last 5 days]; AND
5 2. IS IN EFFECT; or

6 (ii) Is signed and submitted by a physician, psychologist, clinical
7 social worker, licensed clinical professional counselor, clinical nurse specialist in
8 psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical
9 marriage and family therapist, health officer or designee of a health officer, or peace officer.

10 (2) The petition required under paragraph (1) of this subsection may be:

11 (i) In the form of an electronic record; and

12 (ii) Transmitted and received electronically.

13 (3) ~~A WHEN EXECUTING A PETITION, A PEACE OFFICER SHALL:~~

14 (I) SHALL ACT IN ACCORDANCE WITH § 3-524 OF THE PUBLIC
15 SAFETY ARTICLE WHEN EXECUTING A PETITION;

16 (II) MAY ACT IN ACCORDANCE WITH BEST PRACTICES ON HOW
17 TO TAKE AN EMERGENCY EVALUEE TO AN EMERGENCY FACILITY; AND

18 (III) SUBJECT TO THE DISCRETION OF THE PEACE OFFICER, MAY
19 BE JOINED BY A MOBILE CRISIS TEAM WHEN PRACTICABLE.

20 [(3)] (4) To the extent practicable, a peace officer shall notify the
21 emergency facility in advance that the peace officer is bringing an emergency evaluatee to
22 the emergency facility.

23 [(4)] (5) After a peace officer brings the emergency evaluatee to an
24 emergency facility, the peace officer need not stay unless, because the emergency evaluatee
25 is violent, emergency facility personnel ask the supervisor of the peace officer to have the
26 peace officer stay.

27 [(5)] (6) A peace officer shall stay until the supervisor responds to the
28 request for assistance. If the emergency evaluatee is violent, the supervisor shall allow the
29 peace officer to stay.

30 [(6)] (7) If emergency facility personnel ask that a peace officer stay, a
31 physician shall examine the emergency evaluatee as promptly as possible.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.