

HOUSE BILL 907

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6lr2453
CF SB 514

By: ~~Delegates Moon and Cardin~~, Cardin, Moreno, Conaway, Woods, Williams, and Phillips

Introduced and read first time: February 5, 2026

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2026

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Third-Degree Assault**

3 FOR the purpose of establishing that it is a misdemeanor to intentionally cause offensive
4 contact, engage in conduct tending to put another in fear of offensive contact, or
5 attempt to cause offensive contact; altering a certain list of convictions that are
6 eligible for expungement under certain circumstances; and generally relating to
7 assault.

8 BY adding to

9 Article – Criminal Law

10 Section 3–203.1

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2025 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Criminal Law

15 Section 3–206 and 3–209

16 Annotated Code of Maryland

17 (2021 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Courts and Judicial Proceedings

20 Section 4–301(b) and 4–302(d)

21 Annotated Code of Maryland

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.



(2020 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–110(a)(1)(vii)
Annotated Code of Maryland
(2025 Replacement Volume)

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

Article – Criminal Law

3–203.1.

(A) (1) IN THIS SECTION, “OFFENSIVE CONTACT” MEANS
NONCONSENSUAL PHYSICAL CONTACT THAT A REASONABLE PERSON WOULD FIND
TO BE OFFENSIVE.

(2) “OFFENSIVE CONTACT” DOES NOT INCLUDE:

(I) CONTACT THAT RESULTS IN PHYSICAL INJURY;

(II) CONTACT THAT CAUSES A RISK OF SERIOUS PHYSICAL
INJURY;

~~(III) A DOMESTICALLY RELATED CRIME, AS DEFINED IN § 6-233
OF THE CRIMINAL PROCEDURE ARTICLE AN ACT AGAINST A PERSON WHO WOULD
BE ELIGIBLE TO FILE A PETITION FOR RELIEF FROM ABUSE AGAINST THE
DEFENDANT UNDER TITLE 4, SUBTITLE 5 OF THE FAMILY LAW ARTICLE BASED ON
THE FACTS ALLEGED IN THE APPLICATION FOR A STATEMENT OF CHARGES; OR~~

(IV) A SEXUAL CRIME UNDER SUBTITLE 3 OF THIS TITLE.

(B) A PERSON MAY NOT:

(1) INTENTIONALLY CAUSE OFFENSIVE CONTACT;

(2) ENGAGE IN CONDUCT INTENDING TO PUT ANOTHER IN FEAR OF
OFFENSIVE CONTACT; OR

(3) ATTEMPT TO CAUSE OFFENSIVE CONTACT.

1 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE
2 MISDEMEANOR OF ASSAULT IN THE THIRD DEGREE AND ON CONVICTION IS SUBJECT
3 TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$500 OR
4 BOTH.

5 3-206.

6 (a) An indictment, information, other charging document, or warrant for a crime
7 described in § 3-202, § 3-203, or § 3-205 of this subtitle is sufficient if it substantially
8 states:

9 “(name of defendant) on (date) in (county) assaulted (name of victim) in the.....
10 degree or (describe other violation) in violation of (section violated) against the peace,
11 government, and dignity of the State.”.

12 (b) If the general form of indictment or information described in subsection (a) of
13 this section is used to charge a crime described in § 3-202, § 3-203, or § 3-205 of this
14 subtitle in a case in the circuit court, the defendant, on timely demand, is entitled to a bill
15 of particulars.

16 (c) A charge of assault in the first degree also charges a defendant with assault
17 in the second degree.

18 (D) (1) (I) UNLESS SPECIFICALLY CHARGED BY THE STATE, ASSAULT
19 IN THE THIRD DEGREE UNDER § 3-203.1 OF THIS SUBTITLE IS NOT A LESSER
20 INCLUDED CRIME OF ANY OTHER CRIME.

21 (II) ASSAULT IN THE THIRD DEGREE UNDER § 3-203.1 OF THIS
22 SUBTITLE IS A LESSER INCLUDED CRIME OF SECOND-DEGREE ASSAULT IF
23 SPECIFICALLY CHARGED BY THE STATE.

24 (2) A CHARGING DOCUMENT ~~OR WARRANT~~ FOR A CRIME DESCRIBED
25 IN § 3-203.1 OF THIS SUBTITLE IS SUFFICIENT IF IT SUBSTANTIALLY STATES:

26 “(NAME OF DEFENDANT) ON (DATE) IN (COUNTY) COMMITTED ASSAULT IN THE
27 THIRD DEGREE AGAINST (NAME OF VICTIM) IN VIOLATION OF § 3-203.1 OF THE
28 CRIMINAL LAW ARTICLE AGAINST THE PEACE, GOVERNMENT, AND DIGNITY OF THE
29 STATE.”.

30 [(d)] (E) (1) To be found guilty of reckless endangerment under § 3-204 of
31 this subtitle, a defendant must be charged specifically with reckless endangerment.

32 (2) A charging document for reckless endangerment under § 3-204 of this
33 subtitle is sufficient if it substantially states:

1 “(name of defendant) on (date) in (county) committed reckless endangerment in
2 violation of § 3–204 of the Criminal Law Article against the peace, government, and dignity
3 of the State.”.

4 (3) If more than one individual is endangered by the conduct of the
5 defendant, a separate charge may be brought for each individual endangered.

6 (4) A charging document containing a charge of reckless endangerment
7 under § 3–204 of this subtitle may:

8 (i) include a count for each individual endangered by the conduct of
9 the defendant; or

10 (ii) contain a single count based on the conduct of the defendant,
11 regardless of the number of individuals endangered by the conduct of the defendant.

12 (5) If the general form of charging document described in paragraph (2) of
13 this subsection is used to charge reckless endangerment under § 3–204 of this subtitle in a
14 case in the circuit court, the defendant, on timely demand, is entitled to a bill of particulars.

15 3–209.

16 (a) Subject to [subsection] **SUBSECTIONS (b) AND (C)** of this section, a person
17 charged with a crime under § 3–202, § 3–203, **§ 3–203.1**, § 3–204, or § 3–205 of this subtitle
18 may assert any judicially recognized defense.

19 (b) The discovery or perception of, or belief about, another person’s race, color,
20 national origin, sex, gender identity, sexual orientation, religious beliefs, or disability,
21 whether or not accurate, is not a defense to the crime of assault in any degree.

22 **(C) A PHYSICAL INJURY OF A VICTIM RESULTING FROM A VIOLATION OF §**
23 **3–203.1 OF THIS SUBTITLE IS NOT A DEFENSE TO A CHARGE UNDER § 3–203.1 OF**
24 **THIS SUBTITLE.**

25 **Article – Courts and Judicial Proceedings**

26 4–301.

27 (b) Except as provided in § 4–302 of this subtitle, the District Court also has
28 exclusive original jurisdiction in a criminal case in which a person at least 18 years old or
29 a corporation is charged with:

30 (1) Commission of a common–law or statutory misdemeanor regardless of
31 the amount of money or value of the property involved;

32 (2) Violation of § 7–104, § 7–105, § 7–107, or § 7–108 of the Criminal Law
33 Article, whether a felony or a misdemeanor;

- 1 (3) Violation of a county, municipal, or other ordinance, if the violation is
2 not a felony;
- 3 (4) Criminal violation of a State, county, or municipal rule or regulation, if
4 the violation is not a felony;
- 5 (5) Doing or omitting to do any act made punishable by a fine,
6 imprisonment, or other penalty as provided by the particular law, ordinance, rule, or
7 regulation defining the violation if the violation is not a felony;
- 8 (6) Violation of § 8–103 of the Criminal Law Article, whether a felony or a
9 misdemeanor;
- 10 (7) Violation of § 8–203, § 8–204, § 8–205, § 8–206, § 8–207, § 8–208, or §
11 8–209 of the Criminal Law Article, whether a felony or misdemeanor;
- 12 (8) Forgery or violation of Title 8, Subtitle 6 of the Criminal Law Article,
13 whether a felony or misdemeanor;
- 14 (9) Violation of Title 27, Subtitle 4 of the Insurance Article, whether a
15 felony or a misdemeanor;
- 16 (10) Violation of § 9–1106 of the Labor and Employment Article;
- 17 (11) Violation of § 8–301 of the Criminal Law Article, whether a felony or
18 misdemeanor;
- 19 (12) Violation of § 2–209 of the Criminal Law Article;
- 20 (13) Violation of Title 2, Subtitle 5 of the Criminal Law Article;
- 21 (14) Violation of Title 11, Subtitle 5 of the Financial Institutions Article;
- 22 (15) Violation of § 10–604, § 10–605, § 10–606, § 10–607, § 10–607.1, or §
23 10–608 of the Criminal Law Article, whether a felony or misdemeanor;
- 24 (16) Violation of Title 7, Subtitle 3, Part III of the Criminal Law Article,
25 whether a felony or misdemeanor;
- 26 (17) Violation of § 20–102 of the Transportation Article, whether a felony or
27 misdemeanor;
- 28 (18) Violation of § 8–801 of the Criminal Law Article;
- 29 (19) Violation of § 8–604 of the Criminal Law Article;

1 (20) Violation of Title 8, Subtitle 2, Part II of the Criminal Law Article;

2 (21) Violation of § 16–801, § 16–802, § 16–803, or § 16–804 of the Election
3 Law Article;

4 (22) Violation of § 3–203(c) of the Criminal Law Article;

5 (23) Violation of § 11–208 of the Criminal Law Article as a second or
6 subsequent offense;

7 (24) Violation of § 11–721 of the Criminal Procedure Article as a second or
8 subsequent offense; [or]

9 (25) Violation of § 3–1102(b) or § 3–1103 of the Criminal Law Article; **OR**

10 **(26) VIOLATION OF § 3–203.1 OF THE CRIMINAL LAW ARTICLE.**

11 4–302.

12 (d) (1) Except as provided in paragraph (2) of this subsection, the jurisdiction
13 of the District Court is concurrent with that of the circuit court in a criminal case:

14 (i) In which the penalty may be confinement for 3 years or more or
15 a fine of \$2,500 or more; or

16 (ii) That is a felony, as provided in § 4–301(b)(2), (6), (7), (8), (9), (10),
17 (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), and (25) of this
18 subtitle.

19 (2) (i) Except as provided in subparagraph (ii) of this paragraph, a
20 circuit court does not have jurisdiction to try a case charging a violation of **§ 3–203.1**, §
21 5–601, or § 5–620 of the Criminal Law Article.

22 (ii) A circuit court does have jurisdiction to try a case charging a
23 violation of **§ 3–203.1**, § 5–601, or § 5–620 of the Criminal Law Article if the defendant:

24 1. Properly demands a jury trial;

25 2. Appeals as provided by law from a final judgment entered
26 in the District Court; or

27 3. Is charged with another offense arising out of the same
28 circumstances that is within a circuit court's jurisdiction.

29 **Article – Criminal Procedure**

1 10-110.

2 (a) A person may file a petition listing relevant facts for expungement of a police
3 record, court record, or other record maintained by the State or a political subdivision of
4 the State if the person is convicted of:

5 (1) a misdemeanor that is a violation of:

6 (vii) § 3-203, **§ 3-203.1**, or § 3-808 of the Criminal Law Article;

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.