

SENATE BILL 475

E2
SB 1001/25 – JPR

6lr2889
CF HB 687

By: **Senators Sydnor, Charles, West, and Mautz**
Introduced and read first time: February 2, 2026
Assigned to: Judicial Proceedings

Committee Report: Favorable
Senate action: Adopted
Read second time: March 6, 2026

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – Evidence – Protecting Artists’ Creative Expression**
3 **(PACE Act)**

4 FOR the purpose of providing that the creative expression of a criminal defendant or
5 juvenile respondent is not admissible against the defendant or respondent unless the
6 court makes certain findings, subject to a certain exception; and generally relating
7 to the admissibility of creative expression in criminal or juvenile proceedings.

8 BY adding to
9 Article – Courts and Judicial Proceedings
10 Section 10–926
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2025 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 **10–926.**

17 **(A) (1) IN THIS SECTION, “CREATIVE EXPRESSION” MEANS THE**
18 **EXPRESSION OR APPLICATION OF CREATIVITY OR IMAGINATION IN THE**
19 **PRODUCTION OR ARRANGEMENT OF FORMS, SOUNDS, WORDS, MOVEMENTS, OR**

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 SYMBOLS THAT IS ELIGIBLE FOR FEDERAL COPYRIGHT PROTECTION UNDER 17
2 U.S.C. § 102.

3 (2) "CREATIVE EXPRESSION" INCLUDES:

4 (I) MUSIC;

5 (II) DANCE;

6 (III) PERFORMANCE ART;

7 (IV) VISUAL ART;

8 (V) POETRY;

9 (VI) LITERATURE; AND

10 (VII) FILM.

11 (B) IN ANY CRIMINAL PROCEEDING OR JUVENILE PROCEEDING, THE
12 CREATIVE EXPRESSION OF A DEFENDANT OR RESPONDENT IS NOT ADMISSIBLE
13 AGAINST THE DEFENDANT OR RESPONDENT UNLESS THE COURT FINDS, BY A
14 PREPONDERANCE OF THE EVIDENCE, THAT:

15 (1) (I) THE DEFENDANT OR RESPONDENT INTENDED THE
16 CREATIVE EXPRESSION TO BE LITERAL, RATHER THAN FIGURATIVE OR FICTIONAL;
17 OR

18 (II) IF THE CREATIVE EXPRESSION IS DERIVATIVE, THE
19 DEFENDANT INTENDED TO ADOPT THE LITERAL MEANING OF THE CREATIVE
20 EXPRESSION AS THEIR OWN;

21 (2) THE CREATIVE EXPRESSION REFERS TO THE SPECIFIC FACTS OF
22 THE ALLEGED OFFENSE; AND

23 (3) THE CREATIVE EXPRESSION IS RELEVANT TO A DISPUTED ISSUE
24 OF FACT.

25 (C) NOTHING IN THIS SECTION PRECLUDES THE ADMISSION OF CREATIVE
26 EXPRESSION IN JUVENILE CASES FOR THE PURPOSES OF EVALUATING,
27 RECOMMENDING, OR ORDERING REFERRAL TO MENTAL HEALTH SERVICES OR
28 DIVERSION PROGRAMS.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.