

SENATE BILL 512

E1
SB 429/22 – JPR

6lr1247

By: **Senator Smith**

Introduced and read first time: February 2, 2026

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 2, 2026

CHAPTER _____

1 AN ACT concerning

2 **Criminal Law – Stalking – Penalties**

3 FOR the purpose of altering the penalties for stalking under certain circumstances; and
4 generally relating to the crime of stalking.

5 BY repealing and reenacting, with amendments,
6 Article – Criminal Law
7 Section 3–802
8 Annotated Code of Maryland
9 (2021 Replacement Volume and 2025 Supplement)

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

12 **Article – Criminal Law**

13 3–802.

14 (a) In this section:

15 (1) “stalking” means a malicious course of conduct that includes
16 approaching or pursuing another where:

17 (i) the person intends to place or knows or reasonably should have
18 known the conduct would place another in reasonable fear:

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 1. A. of serious bodily injury;
- 2 B. of an assault in any degree;
- 3 C. of rape or sexual offense as defined by §§ 3–303 through
4 3–308 of this title or attempted rape or sexual offense in any degree;
- 5 D. of false imprisonment; or
- 6 E. of death; or
- 7 2. that a third person likely will suffer any of the acts listed
8 in item 1 of this item; or
- 9 (ii) the person intends to cause or knows or reasonably should have
10 known that the conduct would cause serious emotional distress to another; and
- 11 (2) “stalking” includes conduct described in item (1) of this subsection that
12 occurs:
- 13 (i) in person;
- 14 (ii) by electronic communication, as defined in § 3–805 of this
15 subtitle; or
- 16 (iii) through the use of a device that can pinpoint or track the location
17 of another without the person’s knowledge or consent.
- 18 (b) The provisions of this section do not apply to conduct that is:
- 19 (1) performed to ensure compliance with a court order;
- 20 (2) performed to carry out a specific lawful commercial purpose; or
- 21 (3) authorized, required, or protected by local, State, or federal law.
- 22 (c) A person may not engage in stalking.
- 23 (d) **(1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
24 **SUBSECTION, A** person who violates this section is guilty of a misdemeanor and on
25 conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000
26 or both.
- 27 **(2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY**
28 **AND IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT**
29 **EXCEEDING \$10,000 OR BOTH IF:**

1 (I) THE PERSON HAD AN INTERIM, TEMPORARY, OR FINAL
2 PROTECTIVE ORDER IN EFFECT AGAINST THE PERSON AT THE TIME OF THE
3 OFFENSE IN WHICH THE VICTIM WAS THE PETITIONER;

4 (II) THE PERSON HAD A COURT ORDER IN EFFECT AGAINST THE
5 PERSON AT THE TIME OF THE OFFENSE PROHIBITING THE BEHAVIOR DESCRIBED IN
6 SUBSECTION (A) OF THIS SECTION INVOLVING THE VICTIM;

7 (III) THE PERSON HAS PREVIOUSLY BEEN CONVICTED ONCE OF A
8 VIOLATION OF THIS SECTION; OR

9 (IV) THE PERSON PREVIOUSLY HAS BEEN CONVICTED ONCE OF A
10 CRIME UNDER THE LAWS OF ANOTHER STATE THAT WOULD BE A CRIME UNDER
11 SUBSECTION (C) OF THIS SECTION IF COMMITTED IN THIS STATE.

12 (e) A sentence imposed under this section may be separate from and consecutive
13 to or concurrent with a sentence for any other crime based on the acts establishing a
14 violation of this section.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.