

SENATE BILL 737

E3

6lr1933

By: Senator Benson

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Juvenile Law – Probation and Treatment Services – Required Disposition**
3 **(Parental Accountability Act)**

4 FOR the purpose of requiring the juvenile court to order certain probation for a child found
5 to have committed certain delinquent acts more than once or adjudicated to be a
6 certain child in need of supervision more than once; requiring probation of a child
7 adjudged delinquent for certain acts or a certain child in need of supervision to
8 include the adoption of a treatment service plan and providing the child and the
9 child's family with certain services; requiring the juvenile court to order a parent,
10 guardian, or custodian to participate in a treatment service plan; and generally
11 relating to probation and treatment services for children in juvenile court.

12 BY repealing and reenacting, without amendments,
13 Article – Courts and Judicial Proceedings
14 Section 3–8A–19(a), (b), and (c)
15 Annotated Code of Maryland
16 (2020 Replacement Volume and 2025 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Courts and Judicial Proceedings
19 Section 3–8A–19(d) and 3–8A–20.1
20 Annotated Code of Maryland
21 (2020 Replacement Volume and 2025 Supplement)

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

24 **Article – Courts and Judicial Proceedings**

25 3–8A–19.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



11 (d) (1) [In] SUBJECT TO PARAGRAPH (2)(II) OF THIS SUBSECTION, IN
12 making a disposition on a petition under this subtitle, the court may:

24 (iii) Order the child, parents, guardian, or custodian of the child to
25 participate in rehabilitative services that are in the best interest of the child and the family.

30 (II) THE COURT SHALL PLACE A CHILD NOT ORDERED TO BE
31 HELD IN SECURE CONFINEMENT ON PROBATION IF:

1 IN § 14-101 OF THE CRIMINAL LAW ARTICLE, OR A CRIME OF VIOLENCE WITH A
2 DANGEROUS WEAPON; OR

3 B. USED A FIREARM IN THE COMMISSION OF A CRIME IN
4 VIOLATION OF § 4-204 OF THE CRIMINAL LAW ARTICLE; OR

5 2. THE CHILD IS FOUND TO BE A CHILD IN NEED OF
6 SUPERVISION MORE THAN ONCE BECAUSE THE CHILD IS REQUIRED BY LAW TO
7 ATTEND SCHOOL AND IS HABITUALLY TRUANT.

8 (III) PROBATION REQUIRED UNDER SUBPARAGRAPH (II) OF THIS
9 PARAGRAPH SHALL:

10 1. INCLUDE AN ORDER TO ADOPT A TREATMENT
11 SERVICE PLAN, AS DEFINED IN § 3-8A-20.1 OF THIS SUBTITLE; AND

12 2. REQUIRE THE PARTICIPATION OF THE CHILD AND
13 THE CHILD'S PARENT, GUARDIAN, OR CUSTODIAN IN REHABILITATIVE SERVICES
14 DESCRIBED IN PARAGRAPH (1)(III) OF THIS SUBSECTION.

15 (3) (i) A child may not be committed to the Department of Juvenile
16 Services for out-of-home placement if the most serious offense is:

17 1. Possession of cannabis under § 5-601(c)(2)(ii) of the
18 Criminal Law Article;

19 2. An offense that would be a misdemeanor if committed by
20 an adult, unless the offense involves a firearm;

21 3. A technical violation, as defined in § 3-8A-19.6 of this
22 subtitle; or

23 4. A first-time violation for making a false statement, report,
24 or complaint of an emergency or a crime under § 9-501.1 of the Criminal Law Article.

25 (ii) This paragraph may not be construed to prohibit the court from
26 committing the child to another appropriate agency.

27 (4) A child committed under paragraph (1)(ii) of this subsection may not be
28 accommodated in a facility that has reached budgeted capacity if a bed is available in
29 another comparable facility in the State, unless the placement to the facility that has
30 reached budgeted capacity has been recommended by the Department of Juvenile Services.

31 (5) The court shall consider any oral address made in accordance with §
32 11-403 of the Criminal Procedure Article or any victim impact statement, as described in

1 § 11–402 of the Criminal Procedure Article, in determining an appropriate disposition on a
2 petition.

21 (i) The juvenile court;

22 (ii) The office of the State's Attorney; and

23 (iii) The child's defense attorney.

24 3-8A-20.1.

7 (4) At a minimum, the treatment service plan shall include:

8 (i) The recommended level of supervision for the child;

(iii) A statement of any condition that the child's parent, guardian, or legal custodian must change in order to alleviate any risks to the child;

13 (iv) A statement of the services to be provided to the child and child's
14 family; and

15 (v) Any other information that may be necessary to make a
16 disposition consistent with the child's best interests and the protection of the public
17 interest.

34 (c) (1) If a treatment service plan is not implemented by the Department of
35 Juvenile Services within 25 days under subsection (b)(3) of this section, the court shall

1 schedule, within 7 days after receipt of the certification, a disposition review hearing to be
2 held within 30 days after receipt of the certification.

3 (2) The court shall give at least 7 days' notice of the date and time of the
4 disposition review hearing to each party and to the Department of Juvenile Services.

5 (d) (1) The court shall hold a disposition review hearing unless the
6 Department of Juvenile Services certifies in writing to the court prior to the hearing that
7 implementation of the treatment service plan has occurred.

8 (2) At a disposition review hearing, the court may:

9 (i) Revise, in accordance with the provisions of § 3-8A-19 of this
10 subtitle, the disposition previously made; and

11 (ii) Revise the treatment service plan previously adopted.

12 (e) This section may not be construed to provide entitlement to services not
13 otherwise provided by law.

14 (f) The Supreme Court of Maryland may adopt rules to implement the provisions
15 of this section.

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