

Department of Legislative Services  
 Maryland General Assembly  
 2026 Session

FISCAL AND POLICY NOTE  
 First Reader

House Bill 1060 (Delegate Smith)  
 Ways and Means and Health

Primary and Secondary Schools - Petitions for Emergency Evaluation -  
 Requirement for Tracking and Reporting and Study

This bill requires the Maryland State Department of Education (MSDE) to develop a system to track and report petitions for emergency evaluations of students; it also requires all public and nonpublic elementary and secondary schools in the State to implement the system. The bill includes reporting requirements for schools and local school systems. MSDE must compile data reported by schools and local school systems and submit an annual report to the General Assembly with findings and recommendations. MSDE must convene a workgroup to study the use of petitions for emergency evaluations involving students in school settings. The workgroup must report its findings and recommendations by December 1, 2027. **The bill takes effect July 1, 2026, and the workgroup terminates December 31, 2027.**

Fiscal Summary

**State Effect:** General fund expenditures increase by \$58,900 in FY 2027 for staffing. Out-years reflect annualization and inflation. No effect on revenues.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	58,900	67,100	70,400	73,600	76,900
Net Effect	(\$58,900)	(\$67,100)	(\$70,400)	(\$73,600)	(\$76,900)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** Some local school systems may require additional staffing to comply with the bill’s tracking and reporting requirements, but others can likely handle the bill’s requirements with existing resources, as discussed below. No effect on revenues. **This bill may impose a mandate on a unit of local government.**

**Small Business Effect:** None.

## Analysis

**Bill Summary:** “School” means a public elementary or secondary school, a nonpublic school, the Maryland School for the Blind, the Maryland School for the Deaf, or the SEED School of Maryland.

### *Tracking System*

The tracking system must collect information on:

- each petition for emergency evaluation that is made;
- the student’s name, age, gender, race, and ethnicity;
- whether the student has an individualized education program or 504 plan and, if so, any disabilities the student has;
- the name and title of the school employee initiating the petition for emergency evaluation;
- the reason for the petition for emergency evaluation;
- whether handcuffs were used in carrying out the petition;
- whether the student (1) was evaluated by a health professional; (2) was admitted to a hospital or other facility; (3) was released from the hospital or other facility; or (4) had any other known result or outcome.

### *Reporting Requirements*

Each public school must submit to the local school board each petition for emergency evaluation within 30 days after the petition is documented, or a report that compiles the petition for emergency evaluation reports collected by the school over a 30-day period. Other schools must submit the same information to MSDE.

By January 1, 2027, and each July 1 and January 1 thereafter, each local school board must submit to MSDE a compilation report. MSDE must verify the accuracy of any report from a school that reports no petitions; if MSDE cannot verify the data, it must make recommendations for improvement in data collection at the school. By October 1, 2027, and annually thereafter, MSDE must submit a report to the General Assembly summarizing the data it received for the prior school year.

### *Workgroup*

The purpose of the workgroup is to study the use of petitions for emergency evaluations involving students in school settings and to improve the coordination, training, and policy related to school-based mental health crisis responses. MSDE must provide staff for the

workgroup. Members of the workgroup may not receive compensation but are entitled to compensation for expenses.

**Current Law:** A petition for an emergency evaluation may be made only if the petitioner has reason to believe that the individual has a mental disorder and presents a danger to the life or safety of the individual or others. The petition may be made by specified health care practitioners, a peace officer who has personally observed the individual or the individual’s behavior, or any other interested person. A petition must include specified information about the petitioner and the individual. If the petition is signed by a specified health care practitioner or approved by a court, a peace officer must take an emergency evaluatee to the nearest emergency facility, as defined in current law, for an evaluation. Within six hours after an emergency evaluatee is brought to an emergency facility, a physician must examine the evaluatee to determine if he or she meets the requirements for involuntary admission.

**State Expenditures:** MSDE advises that it requires \$200,000 to develop an electronic tracking system and one position to manage the collection and reporting of petitions for emergency evaluations. The Department of Legislative Services disagrees in part, noting that the bill does not require an *electronic* tracking system, and that development of a tracking system can consist of a more low-cost option, such as developing a reporting form for schools to use.

The volume of petitions that must be reported to MSDE by local school boards and other schools varies across the State but is likely steady and substantial (as discussed further below). As the compilation of data on petitions from local school systems and the annual reporting to the General Assembly is ongoing, and the workgroup likely needs staff support while it exists, a regular half-time position is warranted.

Therefore, general fund expenditures increase by \$58,917 in fiscal 2027, which accounts for a 90-day start-up delay from the bill’s July 1, 2026 effective date. This estimate reflects the cost of hiring a regular half-time administrator to compile the petitions submitted by local school boards and other schools, verify their accuracy as needed, produce the annual reports, and support the workgroup while it exists (particularly in submitting the required workgroup report). It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	0.5
Salary and Fringe Benefits	\$50,818
Operating Expenses	<u>8,099</u>
<b>Total FY 2027 MSDE Expenditures</b>	<b>\$58,917</b>

Future year expenditures reflect a full half-time salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

**Local Expenditures:** The bill likely has little or no effect on school systems that have few or no petitions in their schools but may have a more substantial effect on schools with a high volume of petitions, particularly with regard to certain data that is required. Responses from local school systems indicate that the incidence and handling of petitions for emergency evaluation varies widely. For example, Anne Arundel County Public Schools advises that it does not allow staff to do petitions on school grounds, except in extreme cases; both Baltimore City Public Schools and Frederick County Public Schools advise that they already track petitions; and Wicomico County Public Schools advises that it has between 130 and 150 petitions each year.

St. Mary's County Public Schools advises that the requirement to report on the care obtained as a result of a petition would be especially challenging as that information is outside of the school system's control and privacy laws prohibit the sharing of such information by hospitals and mental health providers. Thus, it could be a time-consuming endeavor for staff to attempt to obtain that information from families, and some may still be unwilling to share such sensitive information.

Local school systems that have a large volume of petitions and do not currently track them may need to hire additional staff to comply with the bill's tracking and reporting requirements. Even those that already track petitions may need to complete follow up with law enforcement on the use of handcuffs (to the extent school resource officers are not in place in a particular school) and will need to request that families share outcome information. In the absence of information from more school systems, a reliable estimate of any such effect is not feasible.

---

### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Office of the Public Defender; Maryland State Department of Education; Maryland School for the Deaf; Maryland Center for School Safety; Department of Juvenile Services; Department of State Police; Baltimore City Public Schools; Anne Arundel County Public Schools; Frederick County Public Schools; Montgomery County Public Schools; Prince George's County Public Schools; St. Mary's County Public Schools; Wicomico County Public Schools; Department of Legislative Services

**Fiscal Note History:** First Reader - March 9, 2026  
jg/clb

---

Analysis by: Michael C. Rubenstein

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510