

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 123 (Delegate Griffith)
Ways and Means and Judiciary

School Systems - Reportable Offenses - Alterations

This bill expands the offenses that qualify as reportable offenses and makes changes to related reporting requirements. If the State’s Attorney determines that school officials have not been notified of a student’s arrest for a reportable offense (as required under current law), the State’s Attorney may notify the school officials. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: None. The Maryland State Department of Education (MSDE) can adjust its reporting of reportable offenses with existing resources. No effect on revenues.

Local Effect: The bill’s changes to notification requirements and procedures are not anticipated to materially affect local finances.

Small Business Effect: None.

Analysis

Bill Summary: The definition of “school security officer” is altered to include a school principal, school administrator, law enforcement officer, or other individual employed by a “school system” or a local government who is designated by a county superintendent or a school principal to help maintain the security and safety of a school. A “school system” means (1) the schools and school programs under the supervision of a local superintendent and (2) the institution of higher education or higher education program in which a student is enrolled as part of a dual enrollment program.

Reportable Offenses

The following offenses are added to the list of reportable offenses in current law:

- sexual offense in the fourth degree;
- child pornography, if the victim does not have knowledge of or does not consent to the production or the distribution of the child pornography;
- visual surveillance with prurient intent;
- making a threat of mass violence;
- stalking;
- distributing revenge porn; and
- any other act that if committed by an adult would be a felony.

Current Law: A “school security officer” includes a school principal, school administrator, law enforcement officer, or other individual employed by a *local school system* or a local government who is designated by a county superintendent or a school principal to help maintain the security and safety of a school.

When a student is arrested for a “reportable offense” or an offense related to the student’s membership in a criminal organization, the law enforcement agency making the arrest *must* notify (1) the local superintendent; (2) the school principal; and (3) if appropriate, the school security officer. The law enforcement agency *may* also notify the State’s Attorney.

A reportable offense is an offense that (1) occurred off school premises; (2) did not occur at an event sponsored by the school; and (3) includes a crime of violence, as specified in the Criminal Law Article and numerous other specified weapons-, drug-, assault-, and theft-related offenses. If a student is removed or excluded from the student’s regular school for a reportable offense, the student’s attorney (if applicable) must be invited to participate in a conference between the student or the student’s parent or guardian and the principal or county superintendent.

The Criminal Law Article defines a crime of violence as any of 26 enumerated crimes, including abduction, arson, murder, rape, armed carjacking, and sexual offenses.

Except by order of a juvenile (or other) court with good cause shown, information about a student’s arrest is confidential and may not be redisclosed, except as specified, and may not be part of the student’s permanent educational record. A superintendent may share the information as part of a confidential file with another superintendent or a nonpublic school in the State in which the student has enrolled. The information shared must include information regarding any educational programming and related services provided to the student. The State Board of Education is required to adopt regulations to ensure that

information obtained by local superintendents, principals, or school security officers is used only for specified educational purposes and is destroyed when the student graduates, otherwise permanently leaves school, or turns 22 years old, whichever comes first.

Annually by December 30, MSDE must submit to the Governor and the General Assembly a report that includes specified information about each reportable offense for which a local school system received information in the preceding school year.

Additional Comments: The bill alters the definition of “school security officer” (who is required to be notified regarding reportable offenses) to include an individual employed by an institution of higher education, but only if they are designated by a county superintendent or school principal to help maintain security and safety of a school. As it seems unlikely that a superintendent or principal would designate an individual employed by an institution of higher education as a security officer for a public school, that provision likely does not affect notification requirements for reportable offenses.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 951 of 2025.

Designated Cross File: None.

Information Source(s): Maryland Municipal League; Judiciary (Administrative Office of the Courts); Maryland State Department of Education; University System of Maryland; Morgan State University; St. Mary’s College of Maryland; Maryland Independent College and University Association; Department of State Police; Baltimore City Public Schools; Anne Arundel County Public Schools; Montgomery County Public Schools; Frederick County Public Schools; Wicomico County Public Schools; St. Mary’s County Public Schools; Department of Legislative Services

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