

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 716

(Senator Folden)

Judicial Proceedings

Courts and Judicial Proceedings - Charging Documents - Law Enforcement Officers

This bill expands statutory provisions that are applicable when an application for a statement of charges is filed against certain professionals alleging an offense committed in the course of executing the professional's duties by adding special police officers for the Maryland Judiciary. A special police officer is an individual commissioned under Title 3, Subtitle 3 of the Public Safety Article.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect the operations or finances of the Judiciary.

Local Effect: The bill is not anticipated to materially affect the operations or finances of State's Attorneys' offices or the circuit courts.

Small Business Effect: None.

Analysis

Current Law: An application for a statement of charges for an offense allegedly committed in the course of executing the duties of a law enforcement officer, emergency services personnel, an adult protective services worker, a child welfare caseworker, or an educator may not be filed against such a professional until the State's Attorney has investigated the circumstances of the matter and made recommendations to the District Court Commissioner.

An application filed in the District Court requesting that a statement of charges be filed against a law enforcement officer, emergency services personnel, an adult protective services worker, a child welfare caseworker, or an educator for an offense allegedly committed in the course of executing the duties of the individual must immediately be forwarded to the State's Attorney. Upon receipt, the State's Attorney must (1) investigate the circumstances of the matter and (2) make a recommendation to the District Court Commissioner as to whether a statement of charges should be filed against the individual (if applicable, including whether a summons or warrant should be issued).

The State's Attorney is not precluded from making a determination that an information should be filed against a law enforcement officer, emergency services personnel, or an educator or that a grand jury should be convened to determine whether an indictment should be filed.

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); Department of Legislative Services

Fiscal Note History: First Reader - February 27, 2026
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