

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1348
Judiciary

(Delegate Embry)

Human Trafficking - Reports to Regional Navigators and Prosecutions -
Authorization

This bill authorizes a mandatory reporter to notify a regional navigator of suspected sex trafficking or labor trafficking if, in the professional judgment of the reporter, notification is necessary to prevent serious harm to the child or other children. The mandatory reporter may notify the regional navigator without the consent of the child and over the express objection of the child. The bill also authorizes a State's Attorney or the Office of the Attorney General (OAG) to investigate and prosecute a violation of Title 3, Subtitle 11 (Human Trafficking) or a violation of any crime based on the act establishing a violation of the subtitle. If OAG exercises prosecutorial authority, OAG has all the powers and duties of a State's Attorney to investigate and prosecute the violation.

Fiscal Summary

State Effect: General fund expenditures *may* increase for OAG depending on the bill's effect on OAG workloads, as described below. Otherwise, the bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect local government finances or operations, including the workloads of State's Attorney' offices.

Small Business Effect: None.

Analysis

Current Law:

Mandatory Reporting of Suspected Child Abuse and Neglect

Under § 5-704 of the Family Law Article, health care practitioners, police officers, educators, and human service workers who are acting in a professional capacity, and who have reason to believe that a child has been subjected to abuse or neglect must notify the local department of social services or the appropriate law enforcement agency. An “educator or human service worker” includes any teacher, counselor, social worker, caseworker, and parole or probation officer. If the worker is acting as a staff member of a hospital, public health agency, child care institution, juvenile detention center, school, or similar institution, then the individual must notify the head of the institution or the designee.

Under the applicable definitions of the Family Law Article, “abuse” includes “labor trafficking” of a child by any individual. “Labor trafficking” means knowingly (1) taking, placing, harboring, persuading, inducing, or enticing a child by force, fraud, or coercion to provide services or labor or (2) receiving a benefit or thing of value from the provision of services or labor by a child that was induced by force, fraud, or coercion. Via the applicable definitions, “abuse” also includes “sex trafficking,” which is the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a child for the purpose of a commercial sex act.

Safe Harbor Regional Navigators

A local department that receives a report of suspected abuse or neglect involving a child who is a suspected victim of sex trafficking or labor trafficking *must* refer the child to any appropriate regional navigator.

A regional navigator is a provider of services designated by a grantee of the Safe Harbor Regional Navigator Grant Program. The program, originally established by Chapter 559 of 2019, supports services for youth victims of trafficking. Generally, the Governor’s Office of Crime Prevention and Policy provides grant funding for services provided by the program; such services must include, among other things, safety planning, trauma counseling, legal services, and case management.

Title 3, Subtitle 11 of the Criminal Law Article

Sex Trafficking: Under § 3-1102 of the Criminal Law Article, a person may not knowingly:

- take or cause another to be taken to any place for prostitution;
- place, cause to be placed, or harbor another in any place for prostitution;
- persuade, induce, entice, or encourage another to be taken to or placed in any place for prostitution;
- receive consideration to procure for or place in a house of prostitution or elsewhere another with the intent of causing the other to engage in prostitution or assignation;
- engage in a device, scheme, or continuing course of conduct intended to cause another to believe that if the other did not take part in a sexually explicit performance, the other or a third person would suffer physical restraint or serious harm; or
- destroy, conceal, remove, confiscate, or possess an actual or purported passport, immigration document, or government identification document of another while otherwise violating or attempting to commit these acts.

Also, a parent, guardian, or person who has permanent or temporary care or custody or responsibility for supervision of another may not consent to the taking or detention of the other person for prostitution.

In general, a person who commits the sex trafficking offenses detailed above involving an adult victim is guilty of a misdemeanor and subject to imprisonment for up to 10 years and/or a maximum fine of \$5,000.

Under § 3-1102(b) of the Criminal Law Article, a person who commits sex trafficking involving a victim who is a minor (defined as an individual younger than age 18) or with the use of or intent to use force, threat, coercion, or fraud is guilty of a felony and subject to imprisonment for up to 25 years and/or a maximum fine of \$15,000. The District Court has concurrent jurisdiction with the circuit courts over the crime of felony sex trafficking under § 3-1102(b).

A person who knowingly aids, abets, or conspires in the violation of State sex trafficking laws or knowingly benefits financially or receives anything of value from a venture that includes an act prohibited under State sex trafficking laws is subject to the same penalties imposed on a person who violated the applicable statute.

A defendant's lack of knowledge of the victim's age is not a defense in a prosecution for (1) sex trafficking of a minor or (2) knowingly benefitting financially from or aiding or abetting a sex trafficking violation.

Marriage Trafficking: Under § 3-1103 of the Criminal Law Article, a person may not knowingly (1) take or detain another with the intent to use force, threat, coercion, or fraud to compel the other to marry any person; (2) receive financial benefit or thing of value in

relation to the crime of marriage trafficking; or (3) aid, abet, or conspire with another to commit the crime of marriage trafficking. A violator is guilty of the felony of forced marriage and on conviction subject to imprisonment for up to 25 years and/or a \$15,000 maximum fine.

State Expenditures: General fund expenditures may increase to the extent OAG undertakes additional investigations and prosecutions under the bill. OAG advises of the potential need for two attorneys and one investigator to handle an increased workload, with general fund expenditures increasing by \$382,384 in fiscal 2027 and up to \$522,542 in fiscal 2031. While generally acknowledging that a meaningful number of additional investigations and prosecutions is likely not absorbable, absent experience under the bill, the precise need for additional staff is unclear.

Additional Information

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

Designated Cross File: None.

Information Source(s): Baltimore, Montgomery, and Somerset counties; Office of the Attorney General; Governor's Office of Crime Prevention and Policy; Judiciary (Administrative Office of the Courts); Maryland Department of Health; Department of Human Services; Anne Arundel County Public Schools; Prince George's County Public Schools; Department of Legislative Services

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