



RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2026 Session
HB0012

Juvenile Sex Offender Registry - Qualifying Offenses and Access

Bill Summary

This bill adds a number of offenses under the Criminal Law Article to the list of sexual offenses for which a person adjudicated delinquent is required to be included in the juvenile sex offender registry. The bill also (1) adds access to a court record by law enforcement or a local school superintendent or the superintendent's designee for purposes of the juvenile sex offender registry as a specified exception to the general prohibition on access to juvenile court records; (2) authorizes the local school superintendent or the superintendent's designee to access to the registry; (3) repeals a requirement that a person be at least age 14 at the time the delinquent act was committed in order to be included in the registry; and (4) specifies that registration requirements terminate when the juvenile registrant reaches age 18, if the juvenile court's jurisdiction has otherwise been terminated.

Racial Equity Impact Statement

The bill's provisions will increase the number of juvenile registrants on the juvenile sex offender registry and prevent more students from returning to in-school learning. The bill adds several new offenses that require registration, requires juveniles under age 14 to register, and extends the time on the registry for most juveniles. This will be impactful to individual students who would not be able to return to traditional classroom learning, but there is no data available to determine the number of juveniles affected since the size and demographics of the juvenile sex offender registry are unavailable. There is some contextual data to suggest that the number of students arrested or disciplined annually for sex offenses is small, but Black juveniles are overrepresented in arrests and school disciplinary actions for sex offenses. The bill's provisions extending registry access to designated school officials would promote public safety – a component of racial equity – but the overall equity impacts depend in part on the extent to which school officials find additional students that must be removed from in-school instruction.

Analysis

Generally, the bill adds to the list of qualifying offenses requiring a juvenile to register on the juvenile sex offender registry, repeals the minimum age requirement for inclusion on the registry, and extends access to the registry to designated school officials. The bill also requires that a juvenile remain on the juvenile sex offender registry until the juvenile court's jurisdiction over them ends or when they turn 18 years old – whichever comes later.

Juvenile Sex Offender Registry

The State maintains a registry of juvenile sex offenders that is accessible only by law enforcement personnel for law enforcement purposes. A person must be included in the registry of juvenile sex offenders if (1) the person has been adjudicated delinquent for an act that, if committed by an adult, would constitute a violation of specified sexual offenses in the Criminal Law Article and (2) the person was a minor who was at least age 14 at the time the delinquent act was committed.

The qualifying offenses under existing law for inclusion in the juvenile sex offender registry are:

- § 3-303 (first-degree rape), § 3-304 (second-degree rape), or § 3-307(a)(1) or (2) (specified third-degree sexual offenses); or
- § 3-305 (first-degree sexual offense) or § 3-306 (second-degree sexual offense) of the Criminal Law Article as those sections existed before October 1, 2017.

The bill would add the following offenses:

- § 3-307 (all third-degree sexual offenses – certain offenses already require registration);
- § 3-308 (fourth-degree sexual offense);
- § 3-309 (first-degree attempted rape);
- § 3-310 (second-degree attempted rape);
- § 3-602 (sexual abuse of a minor);
- § 3-902 (visual surveillance with prurient intent), if the victim is a minor; and
- § 11-207 (child pornography), if the victim does not have knowledge of or does not consent to the production or distribution of the child pornography.

Registry Access

Chapter 735 of 2024 generally prohibits individuals registered on the State and juvenile sex offender registries from knowingly entering onto real property that is used for public or nonpublic elementary or secondary education or on which is located certain child care homes or a licensed child care institution, as specified by law. State law provides individuals on the sex offender registries (adult and juvenile) alternative education programs as specified in statute and regulations. The bill would extend access to the juvenile sex offender registry to a school superintendent or their designee to facilitate local school systems' compliance with statutes that prohibit juvenile registrants from attending in-person school.

Time on the Registry

Under existing law, when the juvenile court's jurisdiction over the juvenile registrant terminates, the juvenile registrant must be removed from the registry. The juvenile court can retain jurisdiction over an individual until they reach age 21 if they were adjudicated delinquent by the court before age 18. The bill would require a juvenile to remain on the registry until *at least* age 18, regardless of when the juvenile court's jurisdiction ends. This would require longer registration for the majority of juveniles who are removed from the court's jurisdiction before they turn 18 years old.

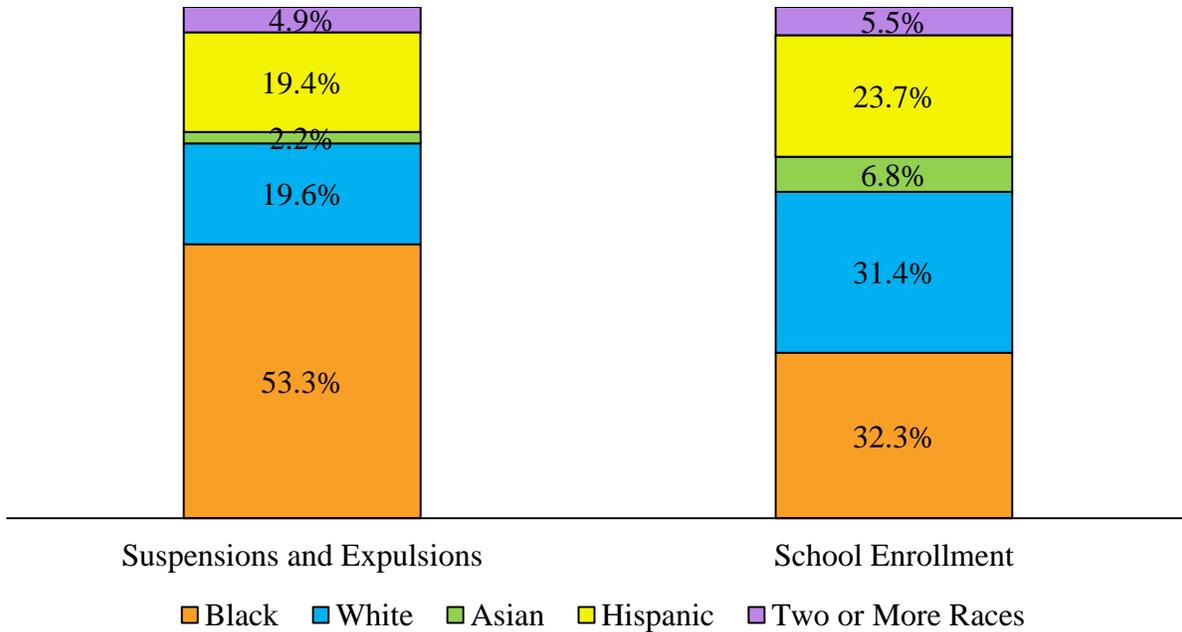
The bill will also repeal the minimum age requirement of 14 years old for offending juveniles to be placed on the sex offender registry.

Impacts of the Bill

The number and demographics of individuals on the juvenile sex offender registry are not readily available. However, data from decision points upstream from placement on the registry suggests that the number of juvenile sex offenders is small compared to other categories of juvenile crime. For instance, the Department of Juvenile Services data shows that sex offenses – felony and misdemeanor – accounted for 4.2% of delinquency adjudications in fiscal 2025 (some cases were still pending as of the report's publication date). Data from the Maryland State Department of Education for the 2023-2024 school year shows that Black students are disproportionately represented in out-of-school suspensions and expulsions generally, and specifically for sex offenses. The total number of in-school arrests for sex offenses, however, is relatively low at 18 arrests. The total number of arrests off school property for sex offenses during the 2023-2024 school year is similarly low at 9 arrests.

Exhibit 1 shows the racial and ethnic breakdown of school suspensions and expulsions for sex offenses during the 2024-2025 school year compared to the demographics of the overall school population during the same time period. The data shows that there were 1,022 suspensions and/or expulsions for sex offenses, which include sexual attack, sexual harassment, and sexual activity. Black students comprised less than 32% of the overall school enrollment but accounted for more than 53% of out-of-school suspensions and expulsions for sex offenses and 57% of all suspensions and expulsions. Black students were 2.5 times more likely than white students to be disciplined for this category of offenses during the time period – a disparity that may be further exacerbated by the bill's provisions expanding the list of offenses requiring a juvenile to register as a sex offender.

Exhibit 1
Suspensions and Expulsions for Sex Offenses
Compared to School Enrollment
2024-2025 School Year



Source: Maryland State Department of Education

Conclusion

The bill’s provisions that extend time on the juvenile sex offender registry, require juveniles younger than age 14 to register, and add additional qualifying sex offenses would likely increase the number of juvenile registrants and prevent registrants from returning to the classroom permanently. No data is readily available to measure specific impacts without more detailed demographic data on those charged, arrested, and convicted or adjudicated for the additional offenses. There is some evidence that Black juveniles may be most impacted by the bill based on existing disparities. Whether this general disparity holds true for convictions/adjudications involving the sex offenses under the bill cannot be determined with the data available. The limited overall data available on juvenile arrests for sex offenses suggests that the sex offense arrest category is relatively small compared to arrests for other offenses, but the bill would add several additional offenses that would require registration as a juvenile sex offender.

The provisions of the bill allowing access to the registry by specified school officials will help identify students for alternative education as required under existing law and may assuage the public safety concerns of students, parents, and school officials. It is unclear, however, whether

removing a larger number of students from the traditional education setting, potentially on a permanent basis, would be beneficial to their rehabilitation needs.

Information Sources: Maryland State Department of Education; Maryland Judiciary; Department of Juvenile Services; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

Analysis by: Dr. Mikaela Zimmerman

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Appendix – Maryland Demographics

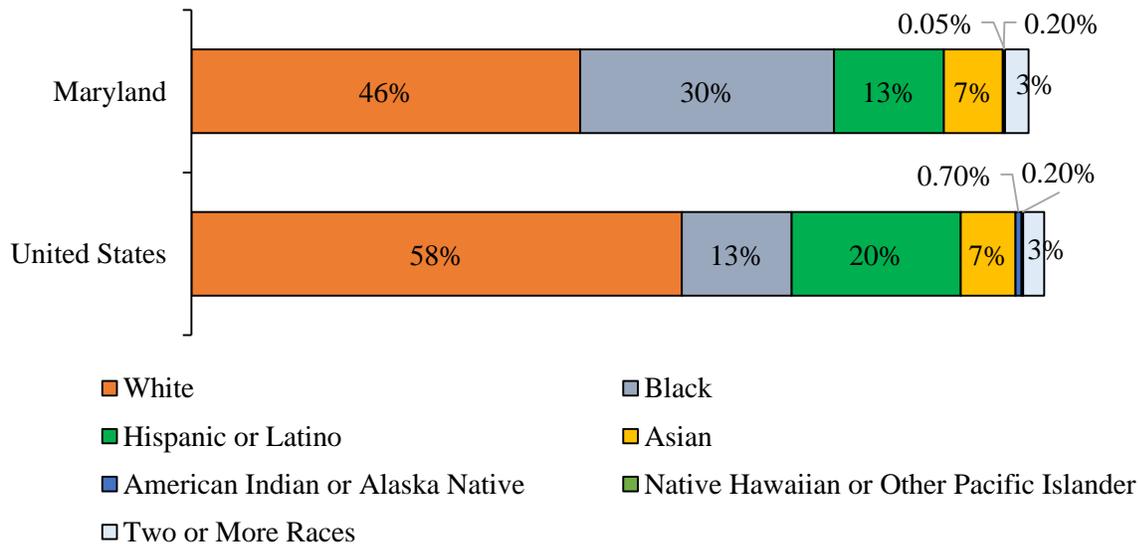
Race and Ethnicity of the Maryland Population

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. Maryland remains one of the most racially and ethnically diverse states in the nation and is ranked as the fourth most diverse state by the U.S. Census Bureau’s [Diversity Index](#). While no single racial or ethnic group constitutes a majority, racial minorities as a group constitute a majority of the State’s population. This diversity underpins the analytical framework used in racial equity impact notes (REIN), which seek to identify potential disparities that may be exacerbated or created by proposed criminal justice legislation.

Methodology Update

Beginning in 2025, REIN will use annual population estimates from the U.S. Census Bureau’s Population Estimates Program (PEP) as the basis for disparity and disproportionality calculations. This methodological update reflects best practices in demographic analysis, as PEP data incorporate births, deaths, and migration to provide the most current population counts between censuses. Although the estimates are more temporally responsive, they do not materially change the proportionate racial and ethnic breakdown observed in the 2020 census. Instead, they conservatively reflect population changes since 2020 while preserving the overall demographic composition of the State.

**U.S. and Maryland Population by Race and Ethnicity
2024 Population Estimates**



Note: Percentages do not total 100% due to rounding.

Source: U.S. Census Bureau, Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for the United States: April 1, 2020 to July 1, 2024 (NC-EST2024-SR11H) and (SC-EST2024-SR11H-24)