

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Finance Committee
Senate Judicial Proceedings Committee

FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523

RE: Senate Bill 942
Assisted Outpatient Treatment – Surrender or Seizure of Firearms

DATE: February 18, 2026
(3/3)

INFORMATIONAL COMMENT PAPER

The Judiciary respects the separation of powers doctrine and acknowledges the policy-making authority of the legislative branch. As such, the Judiciary has no position on the policy aims of this legislation.

While the bill's intent to address firearm access in the context of assisted outpatient treatment (AOT) is understood, the Judiciary has concerns with the provision authorizing enforcement through the court's contempt powers and the imposition of "reasonable sanctions." This approach appears inconsistent with existing assisted outpatient treatment law, Health-Gen §10-6A-10, which expressly provides that failure to comply with an AOT order is not grounds for contempt and may not be used against a respondent in a subsequent legal matter that carries negative collateral consequences.

The Judiciary also notes that Maryland law already includes mechanisms addressing firearm possession by individuals with certain mental health findings or commitments under the Public Safety Code, in addition to ERPO proceedings.

cc. Hon. Shaneka Henson
Judicial Council
Legislative Committee
Kelley O'Connor