

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

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



KELLEY O'CONNOR  
ASSISTANT STATE COURT  
ADMINISTRATOR  
GOVERNMENT RELATIONS  
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## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** House Judiciary Committee  
House Health Committee

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

**RE:** House Bill 1306  
Assisted Outpatient Treatment – Surrender or Seizure of Firearms

**DATE:** February 18, 2026  
(3/11)

### INFORMATIONAL COMMENT PAPER

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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. N. Scott Phillips  
Judicial Council  
Legislative Committee  
Kelley O'Connor