

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  
AND PUBLIC AFFAIRS  
P: (410) 260-1560

SUZANNE PELZ, ESQ.  
SNR. GOVT. RELATIONS AND  
PUBLIC AFFAIRS OFFICER  
P: (410)260-1523

## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** House Judiciary Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** House Bill 1394  
Criminal Law – Homicide by Motor Vehicle or Vessel –  
Restitution to Child (Bentley's Law)  
**DATE:** March 4, 2026  
(3/11)  
**POSITION:** Oppose

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The Maryland Judiciary opposes House Bill 1394.

This bill provides that the court shall order an individual convicted of certain violations to pay restitution. The Judiciary traditionally opposes legislation that includes mandatory provisions. In addition, although the bill requires the court to consider certain factors pertaining to the victim's child and the child's surviving parent or guardian, this provision further constrains judicial discretion as it does not allow the court to consider the defendant's ability to pay the judgment of restitution.

cc. Hon. Susan McComas  
Judicial Council  
Legislative Committee  
Kelley O'Connor