

HOUSE BILL 615

F1, F2, F5
HB 1114/23 – W&M

4lr2105
CF SB 512

By: **Delegates Ruth, Allen, Amprey, Bartlett, Charkoudian, Fair, Feldmark, Guyton, Hill, Lehman, R. Lewis, McCaskill, Mireku–North, Pasteur, Phillips, Simpson, Taveras, and Terrasa**

Introduced and read first time: January 25, 2024

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: February 24, 2024

CHAPTER _____

1 AN ACT concerning

2 **Education – Prohibited Behavior on School Grounds and Property – Application**

3 FOR the purpose of specifying that provisions of law prohibiting and penalizing certain
4 disruptive and threatening behavior on certain school grounds and property do not
5 apply to students who commit offenses at the institution they attend or students who
6 commit offenses at another institution while participating in or attending a sporting
7 event or other extracurricular program sponsored at that institution; and generally
8 relating to the application of provisions of law that prohibit and penalize disruptive
9 and threatening behavior on school grounds and property.

10 BY repealing and reenacting, with amendments,

11 Article – Education

12 Section 26–101

13 Annotated Code of Maryland

14 (2022 Replacement Volume and 2023 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

16 That the Laws of Maryland read as follows:

17 **Article – Education**

18 26–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) **THE PROHIBITIONS AND PENALTIES IN THIS SECTION DO NOT APPLY TO**
2 **A PERSON WHO IS:**

3 (1) **A STUDENT CURRENTLY ATTENDING THE INSTITUTION OF**
4 **ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHERE THE OFFENSE OCCURS;**
5 **OR**

6 (2) **A STUDENT CURRENTLY ATTENDING ANOTHER INSTITUTION OF**
7 **ELEMENTARY, SECONDARY, OR HIGHER EDUCATION WHO IS PARTICIPATING IN OR**
8 **ATTENDING A SPORTING EVENT OR OTHER EXTRACURRICULAR PROGRAM**
9 **SPONSORED BY THE INSTITUTION WHERE THE OFFENSE OCCURS.**

10 (B) A person may not willfully disturb or otherwise willfully prevent the orderly
11 conduct of the activities, administration, or classes of any institution of elementary,
12 secondary, or higher education.

13 [(b)] (C) A person may not molest or threaten with bodily harm any student,
14 employee, administrator, agent, or any other individual who is lawfully:

15 (1) On the grounds or in the immediate vicinity of any institution of
16 elementary, secondary, or higher education;

17 (2) On a school vehicle;

18 (3) At an activity sponsored by a school that is held off school property; or

19 (4) On property that is owned by a county board and is used for
20 administrative or other purposes.

21 [(c)] (D) (1) [A] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**
22 **person may not threaten with bodily harm any employee of any institution of elementary,**
23 **secondary, or higher education at home by any means, including in person, by telephone,**
24 **or by electronic mail. [This]**

25 (2) **THE prohibition IN PARAGRAPH (1) OF THIS SUBSECTION applies**
26 **only to threats arising out of the scope of the employee's employment.**

27 [(d)] (E) In addition to the penalties provided in this section or in § 6–409 of the
28 Criminal Law Article, on application by the governing board of any institution of
29 elementary, secondary, or higher education, the circuit court of the county in which the
30 institution is located may issue an injunction restraining any specific activities that violate
31 this section.

32 [(e)] (F) Any person who violates any provision of this section is guilty of a
33 misdemeanor and on conviction is subject to a fine not exceeding \$2,500, imprisonment not
34 exceeding 6 months, or both.

1 **[(f)] (G)** (1) On or before December 1, 2022, and each December 1 thereafter,
2 each county board of education, including the Baltimore City Board of School
3 Commissioners, shall report to the Department on the number of school disruptions in the
4 county in violation of this section for the immediately preceding school year.

5 (2) A county board shall report the information required under paragraph
6 (1) of this subsection in the following manner:

7 (i) The disruptions shall be sorted into the following categories:

- 8 1. Attendance;
- 9 2. Arson, fire, or explosives;
- 10 3. Dangerous substances;
- 11 4. Sex offenses; and
- 12 5. Attack with a weapon, threats, or fighting; and

13 (ii) Each incident of disruption shall be disaggregated by:

- 14 1. The race, ethnicity, disability status, and gender of the
15 individual;
- 16 2. The actions taken against an individual by the local school
17 or county board resulting from a violation, including suspensions of fewer than 10 days,
18 suspensions of 10 days or more, and expulsions; and
- 19 3. Referrals for prosecution.

20 (3) On or before February 1, 2023, and each February 1 thereafter, the
21 Department shall submit to the Maryland Center for School Safety and, in accordance with
22 § 2–1257 of the State Government Article, the General Assembly a report on incidents of
23 school disruptions in public schools in the State from a compilation of the reports submitted
24 to the Department under paragraph (1) of this subsection and disaggregated in the manner
25 required under paragraph (2) of this subsection.

26 (4) Each county board shall include information on school disruptions from
27 the 2018–2019 and 2019–2020 school years in its report to the Department for the report
28 due on December 1, 2022.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2024.