

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 620 (Delegate Atterbeary)
Ways and Means and Judiciary

Primary and Secondary Education - Reportable Offense - Alteration

This bill alters the definition of “reportable offense” to be only a crime of violence as defined by the Criminal Law Article. Therefore, law enforcement agencies are subject to notification requirements in current law when they arrest a student only for a crime of violence and not for other crimes currently included in the definition of a “reportable offense.” **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: Any change in State activities does not materially affect State finances.

Local Effect: Any change in local school system or law enforcement agency activities does not materially affect local finances.

Small Business Effect: None.

Analysis

Current Law:

Reportable Offenses

When a student is arrested for a “reportable offense” or an offense related to the student’s membership in a criminal organization, the law enforcement agency making the arrest *must* notify (1) the local superintendent; (2) the school principal; and (3) if appropriate, the school security officer. The law enforcement agency *may* also notify the State’s Attorney.

A reportable offense is an offense that (1) occurred off school premises; (2) did not occur at an event sponsored by the school; and (3) includes a crime of violence, as specified in the Criminal Law Article and numerous other specified weapons-, drug-, assault-, and theft-related offenses. If a student is removed or excluded from the student's regular school for a reportable offense, the student's attorney (if applicable) must be invited to participate in a conference between the student or the student's parent or guardian and the principal or county superintendent.

The Criminal Law Article defines a crime of violence as any of 26 enumerated crimes, including abduction, arson, murder, rape, armed carjacking, and sexual offenses.

Except by order of a juvenile court with good cause shown, information about a student's arrest is confidential and may not be redisclosed, except as specified, and may not be part of the student's permanent educational record. A superintendent may share the information as part of a confidential file with another superintendent or a nonpublic school in the State in which the student has enrolled. The information shared must include information regarding any educational programming and related services provided to the student. The State Board of Education is required to adopt regulations to ensure that information obtained by local superintendents, principals, or school security officers is used only for specified educational purposes and is destroyed when the student graduates, otherwise permanently leaves school, or turns 22 years old, whichever comes first.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Center for School Safety; Judiciary (Administrative Office of the Courts); Maryland State Department of Education; Baltimore City Public Schools; Baltimore County Public Schools; Montgomery County Public Schools; Prince George's County Public Schools; Maryland State's Attorneys' Association; Department of Legislative Services

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rh/clb

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