

**Department of Legislative Services**  
Maryland General Assembly  
2025 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1265

(Chair, Ways and Means Committee and Chair, Judiciary Committee)(By Request - Departmental - Juvenile Services)

Ways and Means and Judiciary

---

**Juveniles - Arrests for Reportable Offenses**

---

This emergency departmental bill alters the notification and data sharing provisions related to a student's arrest for a reportable offense or an offense related to the student's membership in a criminal organization. The Department of Juvenile Services (DJS) and the Maryland State Department of Education (MSDE), in consultation with specified entities, must develop an operational protocol to guide the transmission of information about students' arrests (and subsequent dispositions) for reportable offenses and offenses related to membership in a criminal organization. DJS and MSDE must submit an interim report on the development of the protocol to the General Assembly by December 30, 2025, and a final report by December 30, 2026.

---

**Fiscal Summary**

**State Effect:** DJS and MSDE can prepare the protocol and submit the related reports with existing resources. Any potential expenditures for DJS to comply with the bill's additional reporting requirements are assumed to be minimal and absorbable within existing resources. Otherwise, the bill is procedural in nature and, in large part, conforms statute to current regulations. No effect on revenues.

**Local Effect:** Local school systems and State's Attorneys can implement the bill's notification requirements with existing resources. No effect on revenues.

**Small Business Effect:** DJS has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

---

## Analysis

**Bill Summary:** The State's Attorney must promptly notify the local superintendent *and* school principal (instead of either one) and, if appropriate, the school security officer of the disposition of a student's reportable offense. In turn, if an arrested student enrolls in another public or nonpublic school in the State and the disposition of the case was a conviction or an adjudication of delinquency, or if the charges are still pending, the local superintendent, school principal, and superintendent (or designee) of the Juvenile Services Education Program (JSEP) must transmit information regarding the student's arrest for a reportable offense and the disposition of the case to the local superintendent of another public school system or a nonpublic school in which the student enrolls. The bill makes additional conforming changes.

**Current Law:** 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. The State's Attorney must promptly notify either the local superintendent or the school principal of the disposition of the reportable offense.

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.

In January 2025, MSDE adopted a regulation that requires a local superintendent or school principal to transmit information regarding a student's arrest and the disposition of the arrest to the local superintendent or nonpublic school in which the student enrolls if the disposition of the case was a conviction or an adjudication of delinquency, or if the charges are still pending.

**Background:** The Governor's Office requested that DJS conduct an interagency review of information-sharing procedures for youth charged with or convicted of violent crimes while enrolled in Maryland public schools. The review identified that local superintendents are authorized in statute, but not required, to share related information when a student who is the subject of a reportable offense enrolls in another school. Also, JSEP is not included in current notification requirements. The bill addresses both of the gaps identified by DJS's review.

---

### **Additional Information**

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

**Designated Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Maryland State Department of Education; Maryland Center for School Safety; Department of Juvenile Services; Anne Arundel County Public Schools; Baltimore County Public Schools; Montgomery County Public Schools; Department of Legislative Services

**Fiscal Note History:** First Reader - March 4, 2025  
caw/jkb

---

Analysis by: Michael C. Rubenstein

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510

## **ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES**

TITLE OF BILL: Juveniles - Arrests for Reportable Offenses

BILL NUMBER: HB1265

PREPARED BY: Michael DiBattista

### **PART A. ECONOMIC IMPACT RATING**

This agency estimates that the proposed bill:

  X   WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESS

OR

       WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESSES

### **PART B. ECONOMIC IMPACT ANALYSIS**