

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1363
Judiciary

(Delegate Nkongolo)

Criminal Procedure - Domestic Violence Offenders - Registration

This bill requires a person who is convicted of at least two domestically related crimes to register with the person's supervising authority. A domestic violence offender must register with the appropriate supervising authority in the State within seven days after a second conviction for a domestically related crime. A person is no longer subject to registration if the underlying conviction requiring registration is reversed, vacated, or set aside, or the registrant is pardoned for the underlying conviction. The term of registration is (1) if the registrant has one prior conviction for a domestically related crime, 2 years; (2) if the registrant has at least two prior convictions for a domestically related crime, 5 years; or (3) if the registrant has at least three prior convictions for a domestically related crime, 10 years. The bill requires the Department of Public Safety and Correctional Services (DPSCS) to make certain registration statements available to the public. The bill also establishes a penalty for failure to register.

Fiscal Summary

State Effect: General fund expenditures increase significantly (likely by an estimated \$1.9 million) in FY 2027 and by several hundred thousand dollars annually thereafter for DPSCS to create and maintain a domestic violence registry. General fund expenditures may further increase to the extent additional staff are required, as discussed below. General fund expenditures for the Judiciary increase by \$18,800 in FY 2027 only for one-time programming costs. General fund revenues may increase, potentially as early as FY 2027, to the extent registration fees are established.

Local Effect: Expenditures increase, potentially significantly, for local jurisdictions to comply with the bill's requirements, as discussed below. Local revenues are not affected.
This bill may impose a mandate on a unit of local government.

Small Business Effect: None.

Analysis

Bill Summary: For purposes of registration eligibility, a person is convicted when the person (1) is found guilty of a crime by a jury or judicial officer; (2) enters a plea of guilty or *nolo contendere*; or (3) is granted a probation before judgment after a finding of guilt for a crime if the court, as a condition of probation, orders compliance with the requirements of the bill.

With advice from the Criminal Justice Advisory Board, the Secretary of Public Safety and Correctional Services must adopt regulations to implement the bill.

Publicly Available Information

DPSCS must make available to the public registration statements or information about registration statements. Information about registration statements must include, in plain language that can be understood without special knowledge of the criminal laws of the State, a factual description of the crime of the offender that is the basis for the registration, excluding details that would identify the victim. Registration information provided to the public may not include a domestic violence offender's Social Security number, driver's license number, or arrests not resulting in conviction. A registration statement provided under the bill must include a copy of the completed registration form and a copy of the registrant's digital image.

A registration statement must include (1) the registrant's full name, including any suffix; (2) a description of the crime for which the registrant was convicted; (3) the date that the registrant was convicted; (4) the jurisdiction and the name of the court in which the registrant was convicted; (5) all identifying factors, including a physical description of the registrant; (6) a copy of the registrant's valid driver's license or identification card; and (7) the registrant's signature and date signed.

DPSCS must post on the Internet (1) a current listing of each registrant, including each registrant's name, date of birth, date of conviction, jurisdiction of the conviction, and digital image and (2) a plain language factual description (as referenced above).

Penalties for Failure to Register

A registrant may not knowingly (1) fail to register; (2) fail to provide any information to be included in a registration statement; or (3) provide false information of a material fact as required for registration. A violator is subject to the following escalating penalties:

- for a first offense, a civil fine of up to \$250;
- for a second offense, a civil fine of up to \$500; and

- for a third or subsequent offense, is guilty of a misdemeanor and subject to imprisonment for up to 90 days and/or a fine of up to \$1,000.

Miscellaneous Provisions

The Secretary may establish a reasonable registration fee to recover the costs of managing the registry and electronically posting registry information. To the extent practicable, DPSCS must use the existing resources in the Sex Offender Registry to implement the provisions of the bill.

Definitions

“Domestic violence offender” means an individual convicted of a domestically related crime required to register under the bill.

“Domestically related crime” means a crime committed by a defendant against a victim who is a person eligible for relief, as defined in § 4-501 of the Family Law Article, or who had a sexual relationship with the defendant within the 12 months preceding the commission of the crime.

“Supervising authority” means an agency or person that is responsible for collecting information for the initial registration of a domestic violence offender including, among others, the Secretary of Public Safety and Correctional Services, if the registrant is in the custody of the department and the administrator of a local correctional facility, if the registrant, including a participant in a home detention program, is in the custody of the local correctional facility. Under certain circumstances, a supervising authority may also be a court or local law enforcement unit.

Current Law: There is no publicly accessible domestic violence offender registry established in State law.

State Fiscal Effect: Although the bill does not specifically require the establishment of a centralized registry, it permits DPSCS to establish reasonable fees to recover the costs of *managing the registry* and electronically posting registry information. Further, DPSCS is required to use (to the extent possible) existing resources in the Sex Offender Registry, a Statewide *centralized* registry, to implement the bill. While DPSCS is required to publicly post registration information, the bill does not specify a means of data sharing between the supervising authorities enumerated by the bill. This analysis assumes that the regulations adopted by the Secretary (as required by the bill) specify a method by which other supervising authorities share information with DPSCS in order to create and maintain the registry.

Based on information provided by DPSCS, general fund expenditures are anticipated to increase significantly in fiscal 2027 (likely by an estimated \$1.9 million) for one-time programming costs associated with the creation of a domestic violence offender registry. General fund expenditures may further increase by several hundred thousand dollars annually for registry maintenance. DPSCS also anticipates significant personnel costs to hire 23 staff (including 1 manager, 2 supervisors, and 20 domestic violence offender registry specialists) to supervise domestic violence offender registrants, with general fund expenditures increasing by \$1.5 million in fiscal 2027 and up to \$2.0 million by fiscal 2031. DPSCS bases its estimate on existing responsibilities associated with the Sex Offender Registry. DPSCS also anticipates the need for additional office space to accommodate the increased staff, at a cost that cannot be readily determined in advance.

However, the Department of Legislative Services (DLS) notes that the bill does not appear to subject individuals who are required to register under the bill's provisions to additional supervision solely based on their status as domestic violence registrants. Further, the estimate received from DPSCS specifically notes that there are significantly more domestic violence offenders than sex offenders. However, it is not clear if the estimate specifically accounted for how many domestic violence offenders are likely to meet the registration requirements of the bill (*i.e.*, an individual having *at least two* qualifying domestic violence convictions). In addition, because registration is required only after an individual has two convictions (and the bill does not have retroactive application), it will take time before there is a significant number of individuals subject to registration requirements. Accordingly, while enhanced monitoring for registrants may be contemplated under adopted regulations, additional staff are not specifically accounted for in this analysis.

Judiciary

General fund expenditures increase by \$18,788 in fiscal 2027 only for programming changes. In addition, the Judiciary reports that the requirement to register may increase the number of appeals in the circuit courts for convictions that require registration. Any such impact is not anticipated to materially impact the workload of the courts.

Local Expenditures: Local expenditures may increase, *potentially significantly* in local jurisdictions. Although general registration management and the public reporting of registration statements is *assumed* to be managed exclusively by DPSCS, individuals are required to register through their supervising authorities, which includes the administrator of a local correctional facility, the court in which the registrant was convicted, and/or the local law enforcement unit where the offender is a resident, transient, or habitually lives as specified. While the bill is silent on procedures for information and data sharing between supervising authorities and DPSCS for purposes of maintaining and publishing registration statements, as noted above, this analysis assumes that procedures are developed (through

regulations) under which local entities share registration statements as necessary with DPSCS.

For context, Worcester County advises the bill may significantly impact expenditures and operations of law enforcement to comply with registration requirements and monitoring for potential violations. Montgomery County anticipates the need for additional personnel to staff a domestic violence offender registry unit and generally coordinate with DPSCS, keep electronic records up to date, investigate failures to report, and generally register offenders. As discussed above, DLS advises that it is unclear to what extent domestic violence registrants are subject to additional monitoring.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years. However, similar provisions have been considered. For example, see SB 650 and HB 847 of 2025 and SB 1172 of 2024.

Designated Cross File: None.

Information Source(s): Baltimore City; Kent, Montgomery, and Worcester counties; Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Department of Legislative Services

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