

HOUSE BILL 336

E2
HB 21/25 – JUD

6lr0779

By: **Delegates Addison, Acevero, Amprey, Boyce, Conaway, Hornberger, Lewis, J. Long, Pasteur, Phillips, Roberson, Ruff, Stinnett, ~~and Young Young, Simmons, Taylor, Davis, Cardin, Moreno, Moon, and Woods~~**

Introduced and read first time: January 19, 2026
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 11, 2026

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – District Court ~~Commissioners and False Statements –~~**
3 **Issuance of Summonses and Arrest Warrants**

4 FOR the purpose of ~~prohibiting a District Court commissioner from issuing an arrest~~
5 ~~warrant to an individual other than a police officer or a State’s Attorney; altering the~~
6 ~~penalty for making a certain false statement or report to a certain governmental~~
7 ~~official or unit; authorizing a District Court commissioner to issue a summons based~~
8 ~~on an application for a statement of charges filed by a certain individual under~~
9 ~~certain circumstances; prohibiting a District Court commissioner from issuing an~~
10 ~~arrest warrant based on an application for a statement of charges filed by a certain~~
11 ~~individual; requiring a District Court commissioner to refer a certain summons to~~
12 ~~the State’s Attorney’s office for a certain purpose under certain circumstances;~~
13 ~~requiring a State’s Attorney to review a certain case at a certain time for a certain~~
14 ~~purpose; authorizing a judge of the District Court or a judge of the circuit court to~~
15 ~~convert a summons to an arrest warrant on a certain finding; requiring the District~~
16 ~~Court to provide victims of crime with access to certain information; requiring the~~
17 ~~Maryland Judiciary to annually report certain information to the General Assembly;~~
18 ~~and generally relating to ~~District Court commissioners and false statements~~~~
19 ~~issuance of summonses and arrest warrants by the District Court.~~

20 BY repealing and reenacting, with amendments,
21 Article – Courts and Judicial Proceedings
22 Section 2–607(c)

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 Annotated Code of Maryland
2 (2020 Replacement Volume and 2025 Supplement)

3 ~~BY repealing and reenacting, with amendments,~~
4 ~~Article – Criminal Law~~
5 ~~Section 9–503~~
6 ~~Annotated Code of Maryland~~
7 ~~(2021 Replacement Volume and 2025 Supplement)~~

8 BY adding to
9 Article – Courts and Judicial Proceedings
10 Section 2–607.1 and 2–607.2
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2025 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Courts and Judicial Proceedings**

16 2–607.

17 (c) (1) A commissioner shall receive applications and determine probable
18 cause for the issuance of charging documents.

19 (2) A commissioner shall advise arrested persons of their constitutional
20 rights, set bond or commit persons to jail in default of bond or release them on personal
21 recognizance if circumstances warrant, and conduct investigations and inquiries into the
22 circumstances of any matter presented to the commissioner in order to determine if
23 probable cause exists for the issuance of a charging document, warrant, or criminal
24 summons and, in general, perform all the functions of committing magistrates as exercised
25 by the justices of the peace prior to July 5, 1971.

26 (3) There shall be in each county, at all times, one or more commissioners
27 available for the convenience of the public and police in obtaining charging documents,
28 warrants, or criminal summonses and to advise arrested persons of their rights as required
29 by law.

30 (4) A commissioner may exercise the powers of office in any county to which
31 the commissioner is assigned by the Chief Judge of the District Court or a designee of the
32 Chief Judge of the District Court.

33 (5) The Chief Judge of the District Court may authorize one or more
34 commissioners to perform the duties of a commissioner regarding persons arrested in a
35 county other than the county in which the commissioner resides and for which the
36 commissioner was appointed when the arrested persons are brought before the
37 commissioner by a peace officer of the jurisdiction in which that arrest was made.

1 (6) (i) An individual may file an application for a statement of charges
2 with a District Court commissioner.

3 (ii) ~~On~~ **SUBJECT TO § 2-607.1 OF THIS SUBTITLE, ON** review of
4 an application for a statement of charges, a District Court commissioner may issue a
5 summons or an arrest warrant.

6 (iii) A District Court commissioner may issue an arrest warrant only
7 on a finding that:

8 1. There is probable cause to believe that the defendant
9 committed the offense charged in the charging document; ~~and~~

10 ~~2. THE INDIVIDUAL FILING THE APPLICATION FOR A~~
11 ~~STATEMENT OF CHARGES IS A POLICE OFFICER AS DEFINED IN § 3-201 OF THE~~
12 ~~PUBLIC SAFETY ARTICLE OR A STATE'S ATTORNEY; AND~~

13 ~~2.~~ ~~3.~~ A. The defendant previously has failed to respond to a
14 summons that has been personally served or a citation;

15 B. The whereabouts of the defendant are unknown and the
16 issuance of a warrant is necessary to subject the defendant to the jurisdiction of the court;

17 C. The defendant is in custody for another offense; or

18 D. There is probable cause to believe that the defendant poses
19 a danger to another person or to the community.

20 (iv) On a finding of good cause, a judge of the District Court or a judge
21 of a circuit court may recall an arrest warrant issued by a District Court commissioner
22 under this paragraph and issue a summons in its place.

23 **2-607.1.**

24 **(A) ON REVIEW OF AN APPLICATION FOR A STATEMENT OF CHARGES**
25 **SUBMITTED BY AN INDIVIDUAL WHO IS NOT A POLICE OFFICER OR A STATE'S**
26 **ATTORNEY, A DISTRICT COURT COMMISSIONER:**

27 **(1) MAY ISSUE A SUMMONS, IF THE COMMISSIONER DETERMINES**
28 **THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT THE DEFENDANT COMMITTED**
29 **THE OFFENSE OR OFFENSES CHARGED IN THE CHARGING DOCUMENT;**

30 **(2) MAY NOT ISSUE AN ARREST WARRANT; AND**

1 **(3) SHALL REFER AN APPLICATION FOR A STATEMENT OF CHARGES**
2 **FOR WHICH A SUMMONS WAS ISSUED UNDER ITEM (1) OF THIS SUBSECTION TO THE**
3 **STATE'S ATTORNEY'S OFFICE FOR REVIEW AND A PROMPT DETERMINATION OF**
4 **WHETHER A REQUEST FOR AN ARREST WARRANT SHALL BE MADE, IF THE DISTRICT**
5 **COURT COMMISSIONER FINDS THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT**
6 **THE DEFENDANT POSES A DANGER TO ANOTHER PERSON OR TO THE COMMUNITY.**

7 **(B) ON RECEIPT OF AN APPLICATION FOR A STATEMENT OF CHARGES**
8 **UNDER SUBSECTION (A)(3) OF THIS SECTION, THE STATE'S ATTORNEY SHALL**
9 **REVIEW THE CASE AS SOON AS PRACTICABLE BUT NOT LATER THAN 72 HOURS AFTER**
10 **RECEIPT TO DETERMINE WHETHER TO REQUEST THAT A JUDGE OF THE DISTRICT**
11 **COURT OR A JUDGE OF THE CIRCUIT COURT ISSUE AN ARREST WARRANT.**

12 **(C) ON A FINDING OF GOOD CAUSE, A JUDGE OF THE DISTRICT COURT OR A**
13 **JUDGE OF THE CIRCUIT COURT MAY CONVERT A SUMMONS TO AN ARREST WARRANT.**

14 **(D) THE DISTRICT COURT SHALL INFORM A VICTIM OF CRIME WHETHER**
15 **CHARGES HAVE BEEN ISSUED IN RESPONSE TO AN APPLICATION FOR A STATEMENT**
16 **OF CHARGES FILED BY THE VICTIM.**

17 **2-607.2.**

18 **ON OR BEFORE MARCH 1, 2027, AND EACH MARCH 1 THEREAFTER, THE**
19 **MARYLAND JUDICIARY SHALL REPORT TO THE GENERAL ASSEMBLY, IN**
20 **ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE**
21 **FOLLOWING DATA FOR THE PRECEDING CALENDAR YEAR, DISAGGREGATED BY**
22 **COUNTY, AND BY THE RACE, SEX, AND AGE OF DEFENDANTS:**

23 **(1) THE NUMBER OF APPLICATIONS FOR A STATEMENT OF CHARGES**
24 **FILED, INCLUDING:**

25 **(I) WHETHER THE APPLICATION WAS FILED BY THE POLICE, A**
26 **STATE'S ATTORNEY, OR ANOTHER INDIVIDUAL; AND**

27 **(II) FOR EACH TYPE OF APPLICANT, WHETHER THE**
28 **APPLICATION WAS DENIED, RESULTED IN THE ISSUANCE OF A SUMMONS, OR**
29 **RESULTED IN THE ISSUANCE OF AN ARREST WARRANT; AND**

30 **(2) FOR EACH SUMMONS AND ARREST WARRANT ISSUED:**

31 **(I) WHETHER THE ARREST WARRANT WAS ISSUED BY A JUDGE**
32 **OR A COMMISSIONER;**

1 (II) WHETHER THERE WAS A REQUEST TO RECALL THE
2 SUMMONS OR ARREST WARRANT AND, IF SO, THE RESULT OF THE REQUEST; AND

3 (3) THE FINAL DISPOSITION OF THE CASE.

4 ~~Article — Criminal Law~~

5 ~~§ 503.~~

6 ~~(a) A person may not make, or cause to be made, a statement or report that the~~
7 ~~person knows to be false as a whole or in material part to an official or unit of the State or~~
8 ~~of a county, municipal corporation, or other political subdivision of the State that a crime~~
9 ~~has been committed or that a condition imminently dangerous to public safety or health~~
10 ~~exists, with the intent that the official or unit investigate, consider, or take action in~~
11 ~~connection with that statement or report.~~

12 ~~(b) A person who violates this section is guilty of a misdemeanor and on conviction~~
13 ~~is subject to imprisonment not exceeding [6 months] 3 YEARS or a fine not exceeding \$500~~
14 ~~or both.~~

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.