

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 631
Judiciary

(Delegate Schindler)

Criminal Law - Threats Against State or Local Official - Penalties

This bill reclassifies the crime of making a threat against a State or local official from a misdemeanor to a felony. The bill increases the penalty for this offense from imprisonment for up to three years and/or a \$2,500 maximum fine to imprisonment for up to 10 years and/or a \$5,000 maximum fine.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: The bill is not anticipated to materially affect local operations or finances.

Small Business Effect: None.

Analysis

Current Law: A person may not knowingly and willfully make a threat to take the life of, kidnap, or cause physical injury to a State official, a local official, a deputy State's Attorney, an assistant State's Attorney, or an assistant public defender. A person may not knowingly send, deliver, part with, or make for the purpose of sending or delivering a prohibited threat. A violator is guilty of a misdemeanor and subject to imprisonment for up to three years and/or a \$2,500 maximum fine.

“Threat” includes (1) an oral threat or (2) a threat in any written form, whether or not the writing is signed, or if the writing is signed, whether or not it is signed with a fictitious name or any other mark.

“Local official” means an individual serving in a publicly elected office of a local government unit.

“State official” means a constitutional officer or officer-elect in an executive unit; a member or member-elect of the General Assembly; a judge or judge-elect; a judicial appointee; a State’s Attorney; a clerk of the circuit court; a register of wills; or a sheriff.

State and Local Fiscal Effect: As noted above, the bill is not anticipated to materially affect State or local finances or operations, including the finances and operations of the courts. However, changing crimes from misdemeanors to felonies means that (1) such cases are likely to be filed in the circuit courts rather than the District Court and (2) some persons may eventually serve longer incarcerations due to more stringent penalty provisions, applicable to some offenses for prior felony convictions. Accordingly, it is assumed that this bill shifts an unknown number of cases from the District Court to the circuit courts. It is not known whether such a prospective shift may spur more plea bargains and affect actual sentencing practices for this offense.

Additional Comments: The Department of Public Safety and Correctional Services advises that during fiscal 2025, it conducted one correctional intake (sentence of 24 months) and opened seven new probation cases for the offense affected by the bill.

Additional Information

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

Designated Cross File: None.

Information Source(s): Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of Public Safety and Correctional Services; Department of Legislative Services

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Analysis by: Amanda L. Douglas

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