HB 899

Department of Legislative Services

Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 899 (Chair, Judiciary Committee)(By Request - Maryland Judicial Conference)

Judiciary

Home Detention Monitoring Agencies - Promotion and Solicitation of Business - Prohibition

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This bill prohibits, on the grounds of a courthouse or correctional facility, a private home detention monitoring agency (PHDMA) or its agent, an employee of a courthouse, or an employee of a correctional facility from (1) approaching, enticing, or inviting a person to use the services of a specific PHDMA; (2) distributing, displaying, or wearing an item that advertises the services of a PHDMA; or (3) otherwise soliciting business for a PHDMA. The bill also establishes related penalties for noncompliance.

Fiscal Summary

State Effect: The Department of Public Safety and Correctional Services (DPSCS) can implement the bill's requirements with existing resources. The bill's penalty provisions are not anticipated to have a meaningful effect on general fund revenues.

Local Effect: The bill's penalty provisions are not anticipated to have a meaningful effect on local revenues. Local government expenditures are not affected.

Small Business Effect: Minimal.

Analysis

Bill Summary: "Agent" means a person that acts or is authorized to act as the representative of a PHDMA.

A person who violates the bill's prohibition is guilty of a misdemeanor and on conviction is subject to (1) a fine not exceeding $2,500 and, if licensed, a 30-day license suspension

for the first offence, and (2) a fine not exceeding $5,000 and, if licensed, a 90-day license suspension for a subsequent offence. A licensed person that is convicted of a violation of the bill's prohibition must be referred to DPSCS for appropriate action.

Current Law: Generally, in accordance with eligibility criteria, conditions, and procedures required under the Maryland Rules, the court may require, as a condition of a defendant's pretrial release, that the defendant be monitored by a PHDMA licensed by DPSCS. PHDMA's must (1) monitor individuals in accordance with any applicable orders of the court; (2) monitor 24 hours a day and 7 days a week individuals who are under a court order that requires monitoring by a PHDMA; and (3) use electronic equipment or other monitoring methods that meet or exceed standards established in regulations by the Secretary of Public Safety and Correctional Services. The Judiciary advises that currently there are five PHDMAs licensed by DPSCS.

The fee for a PHDMA license is $500, and PHDMA's must keep general liability insurance of at least $100,000 and a surety bond of at least $2,500. A person may not operate a PHDMA in the State unless the Secretary of Public Safety and Correctional Services has issued a license to the person. A person who willfully and knowingly violates the licensing requirements is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $5,000 or imprisonment not exceeding one year or both.

Additional Information

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

Designated Cross File: SB 540 (Chair, Judicial Proceedings Committee)(By Request - Maryland Judicial Conference) - Judicial Proceedings.

Information Source(s): Department of Public Safety and Correctional Services; Judiciary (Administrative Office of the Courts); Department of Legislative Services

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sj/mcr

Analysis by: Thomas S. Elder

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