

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 294

(Senator Love)

Judicial Proceedings

Criminal Procedure – Protection of Identity of Victim of Sexual Assault or Stalking

This bill prohibits, on notice that a case filing or record includes identifying information about a victim of sexual assault or stalking, the court or a party in a criminal or juvenile delinquency case from disclosing or allowing the inspection of electronic or paper filings or records to anyone other than the victim/victim's representative unless all identifying information is redacted. The bill also includes a limited exception based on a court's finding of good cause by clear and convincing evidence. Further, on written request of a victim of sexual assault or stalking, the court must redact identifying information relating to the victim from an existing file or record. "Victim of sexual assault" means an alleged victim of sexually assaultive behavior as defined by § 10-923 of the Courts and Judicial Proceedings Article or a crime as specified by Title 3, Subtitle 11 (Human and Marriage Trafficking) of the Criminal Law Article. "Victim of stalking" means an alleged victim of stalking as defined by § 3-802 of the Criminal Law Article.

Fiscal Summary

State Effect: General fund expenditures for the Judiciary increase by \$13,500 in FY 2027 for one-time programming costs. Revenues are not affected.

Local Effect: The bill may have an operational impact on the circuit courts, as discussed below. Local revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: Section 11-301 of the Criminal Procedure Article provides certain protections from the release of an address or phone number of a victim or witness in a

criminal proceeding. Generally, on motion of the State or on request of a victim or witness, during a criminal trial or a juvenile delinquency adjudicatory hearing, a court may prohibit the release of the address or telephone number of the victim or witness unless the court determines that good cause is shown for the release of the information.

Chapters 877 and 878 of 2024 expanded upon the protections within § 11-301 by prohibiting the court or a party in a criminal or juvenile delinquency case, on notice that an electronic or paper filing includes identifying information of a minor victim, from disclosing or allowing inspection of any such filing (including a charging document) to a nonparty unless the court or the party disclosing or allowing inspection of the filing redacts all identifying information within the filing or the court finds by clear and convincing evidence that there is good cause to order otherwise.

“Identifying information” means the name of, and any other information that could reasonably be expected to identify, a minor victim.

Pursuant to § 10-923 of the Courts and Judicial Proceedings Article, “sexually assaultive behavior” means an act that would constitute (1) a sexual crime under Title 3, Subtitle 3 of the Criminal Law Article; (2) sexual abuse of a minor under § 3-602 of the Criminal Law Article; (3) sexual abuse of a vulnerable adult under § 3-604 of the Criminal Law Article; (4) a violation of 18 U.S.C. Chapter 109A (sexual abuse); or (4) a violation of a law in another state, the United States, or a foreign country that is equivalent to any of these offenses.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 613 of 2025.

Designated Cross File: HB 450 (Delegate Guyton, *et al.*) - Judiciary.

Information Source(s): Judiciary (Administrative Office of the Courts); Office of the Public Defender; Maryland State’s Attorneys’ Association; Department of Legislative Services

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