

SENATE BILL 512

E1
SB 429/22 – JPR

6lr1247

By: Senator Smith

Introduced and read first time: February 2, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

Criminal Law – Stalking – Penalties

3 FOR the purpose of altering the penalties for stalking under certain circumstances; and
4 generally relating to the crime of stalking.

5 BY repealing and reenacting, with amendments,
6 Article – Criminal Law
7 Section 3–802
8 Annotated Code of Maryland
9 (2021 Replacement Volume and 2025 Supplement)

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

Article – Criminal Law

13 3–802.

14 (a) In this section:

15 (1) “stalking” means a malicious course of conduct that includes
16 approaching or pursuing another where:

17 (i) the person intends to place or knows or reasonably should have
18 known the conduct would place another in reasonable fear:

19 1. A. of serious bodily injury;

20 2. B. of an assault in any degree;

21 3. C. of rape or sexual offense as defined by §§ 3–303 through

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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1 3–308 of this title or attempted rape or sexual offense in any degree;

2 D. of false imprisonment; or

3 E. of death; or

4 2. that a third person likely will suffer any of the acts listed
5 in item 1 of this item; or

6 (ii) the person intends to cause or knows or reasonably should have
7 known that the conduct would cause serious emotional distress to another; and

8 (2) “stalking” includes conduct described in item (1) of this subsection that
9 occurs:

10 (i) in person;

11 (ii) by electronic communication, as defined in § 3–805 of this
12 subtitle; or

13 (iii) through the use of a device that can pinpoint or track the location
14 of another without the person’s knowledge or consent.

15 (b) The provisions of this section do not apply to conduct that is:

16 (1) performed to ensure compliance with a court order;

17 (2) performed to carry out a specific lawful commercial purpose; or

18 (3) authorized, required, or protected by local, State, or federal law.

19 (c) A person may not engage in stalking.

20 (d) **(1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
21 **SUBSECTION, A person who violates this section is guilty of a misdemeanor and on**
22 **conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000**
23 **or both.**

24 **(2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY**
25 **AND IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE NOT**
26 **EXCEEDING \$10,000 OR BOTH IF:**

27 **(I) THE PERSON HAD AN INTERIM, TEMPORARY, OR FINAL**
28 **PROTECTIVE ORDER IN EFFECT AGAINST THE PERSON AT THE TIME OF THE**
29 **OFFENSE IN WHICH THE VICTIM WAS THE PETITIONER;**

1 **(II) THE PERSON HAD A COURT ORDER IN EFFECT AGAINST THE**
2 **PERSON AT THE TIME OF THE OFFENSE PROHIBITING THE BEHAVIOR DESCRIBED IN**
3 **SUBSECTION (A) OF THIS SECTION INVOLVING THE VICTIM;**

4 **(III) THE PERSON HAS PREVIOUSLY BEEN CONVICTED ONCE OF A**
5 **VIOLATION OF THIS SECTION; OR**

6 **(IV) THE PERSON PREVIOUSLY HAS BEEN CONVICTED ONCE OF A**
7 **CRIME UNDER THE LAWS OF ANOTHER STATE THAT WOULD BE A CRIME UNDER**
8 **SUBSECTION (C) OF THIS SECTION IF COMMITTED IN THIS STATE.**

9 (e) A sentence imposed under this section may be separate from and consecutive
10 to or concurrent with a sentence for any other crime based on the acts establishing a
11 violation of this section.

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