

HOUSE BILL 336

E2

6lr0779

HB 21/25 – JUD

By: **Delegates Addison, Acevero, Amprey, Boyce, Conaway, Hornberger, Lewis, J. Long, Pasteur, Phillips, Roberson, Ruff, Stinnett, and Young**

Introduced and read first time: January 19, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – District Court Commissioners and False Statements**

3 FOR the purpose of prohibiting a District Court commissioner from issuing an arrest
4 warrant to an individual other than a police officer or a State's Attorney; altering the
5 penalty for making a certain false statement or report to a certain governmental
6 official or unit; and generally relating to District Court commissioners and false
7 statements.

8 BY repealing and reenacting, with amendments,

9 Article – Courts and Judicial Proceedings

10 Section 2–607(c)

11 Annotated Code of Maryland

12 (2020 Replacement Volume and 2025 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Criminal Law

15 Section 9–503

16 Annotated Code of Maryland

17 (2021 Replacement Volume and 2025 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Courts and Judicial Proceedings**

21 2–607.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

(ii) On review of an application for a statement of charges, a District Court commissioner may issue a summons or an arrest warrant.

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

26 1. There is probable cause to believe that the defendant
27 committed the offense charged in the charging document: [and]

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

[2.] 3.A. The defendant previously has failed to respond to a summons that has been personally served or a citation:

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

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

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

6 **Article – Criminal Law**

7 9–503.

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

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

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