

HOUSE BILL 113

E2

6lr1308

(PRE-FILED)

By: Delegate Phillips

Requested: October 23, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Expungement of Records – Resisting Arrest and Making a**
3 **False Statement to a Law Enforcement Officer**

4 FOR the purpose of adding convictions for resisting arrest and making a false statement to
5 a law enforcement officer to the list of misdemeanor convictions that a person may
6 expunge under certain circumstances; and generally relating to expungement of
7 records.

8 BY repealing and reenacting, without amendments,

9 Article – Criminal Law

10 Section 9–408, 9–501, and 9–502

11 Annotated Code of Maryland

12 (2021 Replacement Volume and 2025 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Criminal Procedure

15 Section 10–110(a)(1)(xii)

16 Annotated Code of Maryland

17 (2025 Replacement Volume)

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

20 **Article – Criminal Law**

21 9–408.

22 (a) In this section, “police officer” means an individual who is authorized to make
23 an arrest under Title 2 of the Criminal Procedure Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(b) A person may not intentionally:

(1) resist a lawful arrest; or

(2) interfere with an individual who the person has reason to know is a police officer who is making or attempting to make a lawful arrest or detention of another person.

6 (c) A person who violates this section is guilty of a misdemeanor and is subject to
7 imprisonment not exceeding 3 years or a fine not exceeding \$5,000 or both.

8 (d) The unit of prosecution for a violation of this section is based on the arrest or
9 detention regardless of the number of police officers involved in the arrest or detention.

10 9-501.

11 (a) A person may not make, or cause to be made, a statement, report, or complaint
12 that the person knows to be false as a whole or in material part, to a law enforcement officer
13 of the State, of a county, municipal corporation, or other political subdivision of the State,
14 or of the Maryland–National Capital Park and Planning Police with intent to deceive and
15 to cause an investigation or other action to be taken as a result of the statement, report, or
16 complaint.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 6 months or a fine not exceeding \$500 or both.

19 9-502.

20 (a) A person who is arrested by a law enforcement officer of the State, of a county,
21 municipal corporation, or other political subdivision of the State, or of the
22 Maryland-National Capital Park and Planning Police may not knowingly, and with intent
23 to deceive, make a false statement to a law enforcement officer concerning the person's
24 identity, address, or date of birth.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 6 months or a fine not exceeding \$500 or both.

Article – Criminal Procedure

28 10–110.

29 (a) A person may file a petition listing relevant facts for expungement of a police
30 record, court record, or other record maintained by the State or a political subdivision of
31 the State if the person is convicted of:

32 (1) a misdemeanor that is a violation of:

(xii) § 9-204, § 9-205, **§ 9-408, § 9-501, § 9-502**, § 9-503, or § 9-506 of the Criminal Law Article;

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