

HOUSE BILL 172

L3

HB 748/25 – JUD

6lr1142

(PRE-FILED)

By: **Delegates Schindler, Behler, Miller, and Pasteur**

Requested: October 9, 2025

Introduced and read first time: January 14, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Municipalities – Enforcement Officers – Body-Worn Cameras**

3 FOR the purpose of including a certain municipal enforcement officer in the definition of
4 “law enforcement officer” for purposes of a certain exception to prohibitions against
5 wiretapping and electronic surveillance relating to the use of body-worn cameras by
6 law enforcement officers; authorizing a municipality to adopt an ordinance or a
7 resolution authorizing a certain enforcement officer to utilize body-worn cameras;
8 requiring a municipality that adopts a certain ordinance or resolution to publish a
9 certain policy; and generally relating to enforcement officers and body-worn
10 cameras.

11 BY repealing and reenacting, without amendments,
12 Article – Courts and Judicial Proceedings
13 Section 10–402(a)
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2025 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Courts and Judicial Proceedings
18 Section 10–402(c)(11)
19 Annotated Code of Maryland
20 (2020 Replacement Volume and 2025 Supplement)

21 BY adding to
22 Article – Local Government
23 Section 6–103.1
24 Annotated Code of Maryland
25 (2013 Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Courts and Judicial Proceedings**

4 10–402.

5 (a) Except as otherwise specifically provided in this subtitle it is unlawful for any
6 person to:

7 (1) Willfully intercept, endeavor to intercept, or procure any other person
8 to intercept or endeavor to intercept, any wire, oral, or electronic communication;

9 (2) Willfully disclose, or endeavor to disclose, to any other person the
10 contents of any wire, oral, or electronic communication, knowing or having reason to know
11 that the information was obtained through the interception of a wire, oral, or electronic
12 communication in violation of this subtitle; or

13 (3) Willfully use, or endeavor to use, the contents of any wire, oral, or
14 electronic communication, knowing or having reason to know that the information was
15 obtained through the interception of a wire, oral, or electronic communication in violation
16 of this subtitle.

17 (c) (11) (i) 1. In this paragraph the following words have the meanings
18 indicated.

19 2. “Body-worn digital recording device” means a device worn
20 on the person of a law enforcement officer or a correctional officer that is capable of
21 recording video and intercepting oral communications.

22 3. “Electronic control device” has the meaning stated in §
23 4–109 of the Criminal Law Article.

24 4. **“LAW ENFORCEMENT OFFICER” INCLUDES A**
25 **MUNICIPAL ENFORCEMENT OFFICER DULY AUTHORIZED UNDER § 6–103.1 OF THE**
26 **LOCAL GOVERNMENT ARTICLE TO USE A BODY-WORN CAMERA DURING THE**
27 **COURSE OF THE OFFICER’S DUTIES.**

28 (ii) It is lawful under this subtitle for a law enforcement officer or a
29 correctional officer in the course of the officer’s regular duty to intercept an oral
30 communication with a body-worn digital recording device or an electronic control device
31 capable of recording video and oral communications if:

32 1. The law enforcement officer or correctional officer is in
33 uniform or prominently displaying the officer’s badge or other insignia;

1 2. The law enforcement officer or correctional officer is
2 making reasonable efforts to conform to standards in accordance with § 3–511 of the Public
3 Safety Article or § 8–211 of the Correctional Services Article for the use of body-worn digital
4 recording devices or electronic control devices capable of recording video and oral
5 communications;

6 3. The law enforcement officer or correctional officer is a
7 party to the oral communication;

8 4. Law enforcement or the correctional officer notifies, as
9 soon as is practicable, the individual that the individual is being recorded, unless it is
10 unsafe, impractical, or impossible to do so; and

11 5. The oral interception is being made as part of a videotape
12 or digital recording.

13 (iii) Failure to notify under subparagraph (ii)4 of this paragraph does
14 not affect the admissibility in court of the recording if the failure to notify involved an
15 individual who joined a discussion in progress for which proper notification was previously
16 given.

17 Article – Local Government

18 6–103.1.

19 (A) IN THIS SECTION, “ENFORCEMENT OFFICER” MEANS AN EMPLOYEE OR
20 AGENT OF A MUNICIPALITY WHO IS AUTHORIZED TO ACT AS A CODE ENFORCEMENT,
21 PARKING ENFORCEMENT, OR TRAFFIC ENFORCEMENT OFFICER FOR THE
22 MUNICIPALITY.

23 (B) A MUNICIPALITY MAY ADOPT AN ORDINANCE OR A RESOLUTION
24 AUTHORIZING AN ENFORCEMENT OFFICER TO UTILIZE A BODY-WORN CAMERA
25 DURING THE COURSE OF THE ENFORCEMENT OFFICER’S DUTIES.

26 (C) A MUNICIPALITY THAT ADOPTS AN ORDINANCE OR A RESOLUTION
27 UNDER SUBSECTION (B) OF THIS SECTION SHALL DEVELOP AND PUBLISH A POLICY
28 FOR THE ISSUANCE AND USE OF A BODY-WORN CAMERA BY AN ENFORCEMENT
29 OFFICER THAT IS CONSISTENT WITH THE POLICY PUBLISHED BY THE MARYLAND
30 POLICE TRAINING AND STANDARDS COMMISSION UNDER § 3–511 OF THE PUBLIC
31 SAFETY ARTICLE FOR THE ISSUANCE AND USE OF BODY-WORN CAMERAS BY LAW
32 ENFORCEMENT OFFICERS.

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