

HOUSE BILL 1138

E2, E3

2lr2505

By: **Delegates Carter, Alston, Anderson, Dumais, Lee, Mitchell, Oaks, Parrott, Smigiel, and Washington**

Introduced and read first time: February 10, 2012

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 2012

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – Charging or Arrest of Minor – Notification of Parent or**
3 **Guardian**

4 FOR the purpose of requiring a certain law enforcement officer who charges a minor
5 with a criminal offense to make a reasonable attempt to notify the minor's
6 parent or guardian of the charge; requiring a certain law enforcement officer or
7 the officer's designee who takes a minor into custody to make a reasonable
8 attempt to notify the minor's parent or guardian of the arrest within a certain
9 time period; and generally relating to notification of a parent or guardian of the
10 charging or arrest of a minor.

11 BY adding to
12 Article – Criminal Procedure
13 Section 2–108
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2011 Supplement)

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

18 **Article – Criminal Procedure**

19 **2–108.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(A) A LAW ENFORCEMENT OFFICER WHO CHARGES A MINOR WITH A**
2 **CRIMINAL OFFENSE SHALL MAKE A REASONABLE ATTEMPT TO NOTIFY THE**
3 **PARENT OR GUARDIAN OF THE MINOR OF THE CHARGE.**

4 **(B) IF A LAW ENFORCEMENT OFFICER TAKES A MINOR INTO CUSTODY,**
5 **THE LAW ENFORCEMENT OFFICER OR THE OFFICER'S DESIGNEE SHALL MAKE A**
6 **REASONABLE ATTEMPT TO NOTIFY THE PARENT OR GUARDIAN OF THE MINOR**
7 **WITHIN 48 HOURS OF THE ARREST OF THE MINOR.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2012.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.