

HOUSE BILL 629

D3

5lr1455
CF 5lr1454

By: **Delegates Bartlett, Bagnall, Crutchfield, Embry, Fair, Guyton, D. Jones, Lehman, Lopez, Shetty, Simpson, and White Holland**

Introduced and read first time: January 23, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions – Immunity – Disclosure of Allegations of Sexually Assaultive**
3 **Behavior**
4 **(Stop Silencing Survivors Act)**

5 FOR the purpose of establishing that a person who in good faith discloses information about
6 allegations of sexually assaultive behavior may not be held liable for the disclosure;
7 requiring a court to award attorney's fees and costs in certain circumstances; and
8 generally relating to immunity from liability for disclosure of allegations of sexually
9 assaultive behavior.

10 BY adding to
11 Article – Courts and Judicial Proceedings
12 Section 5–809
13 Annotated Code of Maryland
14 (2020 Replacement Volume and 2024 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article – Courts and Judicial Proceedings
17 Section 10–923(a)
18 Annotated Code of Maryland
19 (2020 Replacement Volume and 2024 Supplement)

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

22 **Article – Courts and Judicial Proceedings**

23 **5–809.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(A) IN THIS SECTION, “SEXUALLY ASSAULTIVE BEHAVIOR” HAS THE MEANING STATED IN § 10–923 OF THIS ARTICLE.

(B) A PERSON ACTING IN GOOD FAITH MAY NOT BE HELD LIABLE FOR DISCLOSING ANY INFORMATION ABOUT ALLEGATIONS OF SEXUALLY ASSAULTIVE BEHAVIOR TO ANOTHER PERSON.

(C) A PERSON WHO DISCLOSES INFORMATION UNDER SUBSECTION (B) OF THIS SECTION SHALL BE PRESUMED TO HAVE ACTED IN GOOD FAITH UNLESS IT IS SHOWN BY CLEAR AND CONVINCING EVIDENCE THAT THE PERSON:

(1) ACTED WITH ACTUAL MALICE TOWARD THE PERSON ALLEGED TO HAVE COMMITTED SEXUALLY ASSAULTIVE BEHAVIOR; OR

(2) INTENTIONALLY OR RECKLESSLY DISCLOSED FALSE INFORMATION ABOUT THE PERSON ALLEGED TO HAVE COMMITTED SEXUALLY ASSAULTIVE BEHAVIOR.

(D) THE COURT SHALL AWARD REASONABLE ATTORNEY’S FEES AND COSTS TO A PERSON WHO SUCCESSFULLY DEFENDS A CLAIM THAT THE PERSON DID NOT ACT IN GOOD FAITH IN DISCLOSING INFORMATION ABOUT ALLEGATIONS OF SEXUALLY ASSAULTIVE BEHAVIOR, UNLESS THE PARTY FROM WHOM THE FEES AND COSTS ARE SOUGHT ESTABLISHES THAT THE AWARD WOULD BE CLEARLY INAPPROPRIATE.

10–923.

(a) In this section, “sexually assaultive behavior” means an act that would constitute:

(1) A sexual crime under Title 3, Subtitle 3 of the Criminal Law Article;

(2) Sexual abuse of a minor under § 3–602 of the Criminal Law Article;

(3) Sexual abuse of a vulnerable adult under § 3–604 of the Criminal Law Article;

(4) A violation of 18 U.S.C. Chapter 109A; or

(5) A violation of a law of another state, the United States, or a foreign country that is equivalent to an offense under item (1), (2), (3), or (4) of this subsection.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.