

HOUSE BILL 1406

E1

6lr3086

By: **Delegates Smith, Embry, and Ruff**

Introduced and read first time: February 13, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

Criminal Law – Self-Defense – Prior Acts by Victim

3 FOR the purpose of authorizing a person charged with a certain offense to assert a certain
4 defense without proving a certain element of that defense if the victim had previously
5 committed a certain act against the person; and generally relating to self-defense.

6 BY adding to

7 Article – Criminal Law

8 Section 1–403

9 Annotated Code of Maryland

10 (2021 Replacement Volume and 2025 Supplement)

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

Article – Criminal Law

14 **1–403.**

15 **A PERSON CHARGED WITH MURDER OR MANSLAUGHTER IN ANY DEGREE OR A**
16 **CRIME UNDER TITLE 3, SUBTITLE 2 OF THIS ARTICLE MAY ASSERT THE DEFENSE**
17 **THAT THE PERSON ACTED IN SELF-DEFENSE AND NEED NOT PROVE THAT THE**
18 **PERSON BELIEVED DANGER WAS IMMINENT OR IMMEDIATE IF THE VICTIM HAD**
19 **PREVIOUSLY COMMITTED:**

20 **(1) AN ASSAULT IN ANY DEGREE AGAINST THE PERSON; OR**

21 **(2) AN ACT CONSTITUTING SEXUALLY ASSAULTIVE BEHAVIOR**
22 **AGAINST THE PERSON, AS DEFINED IN § 10–923 OF THE COURTS ARTICLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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