

HOUSE BILL 373

E1

9lr2024

By: **Charles County Delegation**

Introduced and read first time: February 2, 2009

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Lawful Wiretapping - Sexual Offense in the Third Degree**

3 FOR the purpose of providing that it is lawful for an investigative or law enforcement
4 officer, under certain circumstances, to intercept a wire, oral, or electronic
5 communication in order to provide evidence of the commission of a sexual
6 offense in the third degree; and generally relating to the lawful interception of
7 wire, oral, or electronic communications in the investigation of sexual offenses
8 in the third degree.

9 BY repealing and reenacting, with amendments,
10 Article - Courts and Judicial Proceedings
11 Section 10-402(c)(2)(ii)1.D.
12 Annotated Code of Maryland
13 (2006 Replacement Volume and 2008 Supplement)

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

16 **Article - Courts and Judicial Proceedings**

17 10-402.

18 (c) (2) (ii) It is lawful under this subtitle for an investigative or law
19 enforcement officer acting in a criminal investigation or any other person acting at the
20 prior direction and under the supervision of an investigative or law enforcement officer
21 to intercept a wire, oral, or electronic communication in order to provide evidence:

22 1. Of the commission of:

23 D. A sexual offense in the first [or], second, **OR THIRD**
24 degree;

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, 2009.