

HOUSE BILL 270

E2

(PRE-FILED)

1lr1142
CF SB 555

By: **Delegate K. Young**

Requested: October 26, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2021

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – Victims of Sexually Assaultive Behavior – Required**
3 **Meeting**

4 FOR the purpose of requiring a certain assistant State’s Attorney to meet with certain
5 victims of sexually assaultive behavior under certain circumstances; establishing
6 certain requirements for a certain meeting; defining a certain term; and generally
7 relating to victims’ rights.

8 BY adding to

9 Article – Criminal Procedure

10 Section 11–1009

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2020 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Criminal Procedure**

16 **11–1009.**

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

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 **(B) FOR AN INVESTIGATION OR CASE INVOLVING A VICTIM OF SEXUALLY**
 2 **ASSAULTIVE BEHAVIOR, ~~AT THE REQUEST OF THE VICTIM,~~ AN ASSISTANT STATE'S**
 3 **ATTORNEY WITH KNOWLEDGE OF THE CASE SHALL MEET WITH THE VICTIM OR A**
 4 **REPRESENTATIVE DESIGNATED BY THE VICTIM WITHIN ~~10~~ 20 DAYS AFTER**
 5 **RECEIVING A REQUEST FROM THE VICTIM TO MEET REGARDING A DECISION BY THE**
 6 **OFFICE OF THE STATE'S ATTORNEY TO:**

7 **(1) NOT FILE A CHARGING DOCUMENT AGAINST AN ALLEGED**
 8 **SUSPECT; OR**

9 **(2) DISMISS CHARGES AGAINST AN ALLEGED SUSPECT.**

10 **(C) AT THE MEETING REQUIRED UNDER THIS SECTION, THE ASSISTANT**
 11 **STATE'S ATTORNEY SHALL EXPLAIN THE JUSTIFICATION FOR NOT FILING A**
 12 **CHARGING DOCUMENT OR FOR DISMISSING THE CHARGES.**

13 **(D) THE MEETING REQUIRED UNDER THIS SECTION MAY BE CONDUCTED IN**
 14 **PERSON, BY PHONE, OR BY OTHER MEANS ~~AS REQUESTED BY THE VICTIM~~ MUTUALLY**
 15 **AGREED ON.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 17 October 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.