
By: Senator Pica

Introduced and read first time: January 31, 1996

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Interception of Communications - Fraudulent Insurance Acts**

3 FOR the purpose of making it unlawful for certain persons to engage in certain one-party
4 consent monitoring to obtain certain information in pursuit of law enforcement or
5 investigative activities related to fraudulent insurance acts.

6 BY repealing and reenacting, with amendments,
7 Article - Courts and Judicial Proceedings
8 Section 10-402(c)(2)
9 Annotated Code of Maryland
10 (1995 Replacement Volume and 1995 Supplement)

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

13 **Article - Courts and Judicial Proceedings**

14 10-402.

15 (c) (2) It is lawful under this subtitle for an investigative or law enforcement
16 officer acting in a criminal investigation or any other person acting at the prior direction
17 and under the supervision of an investigative or law enforcement officer to intercept a
18 wire, oral, or electronic communication in order to provide evidence of the commission of
19 the offenses of murder, kidnapping, rape, a sexual offense in the first or second degree,
20 child abuse, gambling, robbery, any felony punishable under the "Arson and Burning"
21 subheading of Article 27, bribery, extortion, or dealing in controlled dangerous
22 substances, including violations of Article 27, § 286B or § 287A, [fraudulent insurance
23 acts, as defined in Article 48A, § 233] or any conspiracy or solicitation to commit any of
24 these offenses, or where any person has created a barricade situation and probable cause
25 exists for the investigative or law enforcement officer to believe a hostage or hostages may
26 be involved, where the person is a party to the communication or one of the parties to the
27 communication has given prior consent to the interception.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1996.