

---

**By: Delegates Pitkin, Grosfeld, Hubbard, Conroy, R. Baker, Benson, M. Burns, Crumlin, Cryor, Eckardt, Frush, Healey, Hecht, Howard, B. Hughes, Hurson, Kopp, Krysiak, Marriott, McIntosh, Menes, Montague, D. Murphy, Nathan-Pulliam, Perry, Petzold, and Turner**

Introduced and read first time: January 31, 1997

Assigned to: Judiciary

---

A BILL ENTITLED

1 AN ACT concerning

2 **Manslaughter - Inadequate Provocation - Spousal Adultery**

3 FOR the purpose of establishing that the discovery of one's spouse engaged in sexual  
4 activity or sexual intercourse with another person does not constitute legally  
5 adequate provocation for the purpose of mitigating a killing from the crime of  
6 murder to voluntary manslaughter; and generally relating to legally adequate  
7 provocation for mitigating a killing from murder to voluntary manslaughter.

8 BY adding to

9 Article 27 - Crimes and Punishments  
10 Section 387A  
11 Annotated Code of Maryland  
12 (1996 Replacement Volume)

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

15 **Article 27 - Crimes and Punishments**

16 387A.

17 THE DISCOVERY OF ONE'S SPOUSE ENGAGED IN SEXUAL ACTIVITY OR SEXUAL  
18 INTERCOURSE WITH ANOTHER PERSON DOES NOT CONSTITUTE LEGALLY  
19 ADEQUATE PROVOCATION FOR THE PURPOSE OF MITIGATING A KILLING FROM THE  
20 CRIME OF MURDER TO VOLUNTARY MANSLAUGHTER WHEN THE KILLING WAS  
21 PROVOKED BY THAT DISCOVERY.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed  
23 only prospectively and may not be applied or interpreted to have any effect on or  
24 application to any crimes committed before the effective date of this Act.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 1997.