

(PRE-FILED)

By: **Delegates Gordon and Arnick**
Requested: July 15, 1997
Introduced and read first time: January 14, 1998
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Adultery - Defined**

3 FOR the purpose of clarifying the law relating to the crime of adultery; specifying that
4 a married person who voluntarily has sexual intercourse or commits a sexual act
5 with a certain person is guilty of adultery; specifying that a person who
6 voluntarily has sexual intercourse or commits a sexual act with a certain
7 married person is guilty of adultery; defining a certain term; making certain
8 stylistic changes; and generally relating to adultery.

9 BY repealing and reenacting, with amendments,
10 Article 27 - Crimes and Punishments
11 Section 3
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1997 Supplement)

14 BY adding to
15 Article - Family Law
16 Section 7-101.1
17 Annotated Code of Maryland
18 (1991 Replacement Volume and 1997 Supplement)

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

21 **Article 27 - Crimes and Punishments**

22 3.

23 (A) A MARRIED PERSON WHO VOLUNTARILY HAS SEXUAL INTERCOURSE OR
24 COMMITS A SEXUAL ACT AS DEFINED IN § 461 OF THIS ARTICLE WITH A PERSON WHO
25 IS NOT THE MARRIED PERSON'S SPOUSE IS GUILTY OF ADULTERY.

1 (B) A PERSON WHO VOLUNTARILY HAS SEXUAL INTERCOURSE OR COMMITS A
2 SEXUAL ACT AS DEFINED IN § 461 OF THIS ARTICLE WITH A MARRIED PERSON WHO IS
3 NOT THE PERSON'S SPOUSE IS GUILTY OF ADULTERY.

4 (C) [Any] A person who [shall commit] COMMITS ADULTERY shall upon
5 conviction [thereof in any of the circuit courts for the counties in this State] be fined
6 [ten dollars] \$10.

7

Article - Family Law

8 7-101.1.

9 IN THIS TITLE, "ADULTERY" HAS THE SAME MEANING DESCRIBED IN ARTICLE
10 27, § 3 OF THE CODE.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
12 effect October 1, 1998.