

HOUSE BILL 245

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D3

1998 Regular Session
8lr0350
CF 8lr0280

By: **Delegates E. Burns, Vallario, Hutchins, Menes, D. Murphy,
Nathan-Pulliam, O'Donnell, Petzold, and M. Burns**

Introduced and read first time: January 26, 1998

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Evidence - Civil Proceedings - Slayer's Rule - Admissibility and Effect of**
3 **Certain Criminal Convictions**

4 FOR the purpose of providing that a certain judgment of conviction is admissible in a
5 certain civil proceeding to determine entitlement to the assets of a decedent and
6 conclusively establishes certain matters; providing for the application of this
7 Act; and generally relating to the admissibility and effect of certain criminal
8 convictions in certain civil proceedings.

9 BY adding to
10 Article - Courts and Judicial Proceedings
11 Section 10-919
12 Annotated Code of Maryland
13 (1995 Replacement Volume and 1997 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 10-919.

18 AFTER ALL RIGHT TO APPEAL HAS BEEN EXHAUSTED, A JUDGMENT OF
19 CONVICTION ESTABLISHING CRIMINAL ACCOUNTABILITY FOR THE FELONIOUS AND
20 INTENTIONAL KILLING OF A DECEDENT:

21 (1) IS ADMISSIBLE IN A SUBSEQUENT CIVIL PROCEEDING TO
22 DETERMINE ENTITLEMENT TO THE ASSETS OF THE DECEDENT; AND

23 (2) CONCLUSIVELY ESTABLISHES THAT THE CONVICTED INDIVIDUAL,
24 OR A PERSON CLAIMING THROUGH OR UNDER THE CONVICTED INDIVIDUAL, MAY
25 NOT:

1 (I) SHARE IN THE DISTRIBUTION OF THE DECEDENT'S ESTATE AS
2 AN HEIR BY WAY OF STATUTES OF DESCENT AND DISTRIBUTION OR AS DEVISEE OR
3 LEGATEE UNDER THE DECEDENT'S WILL; OR

4 (II) COLLECT ANY PROCEEDS AS A BENEFICIARY UNDER A POLICY
5 OF INSURANCE ON THE DECEDENT'S LIFE.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
7 judgments of conviction entered on or after October 1, 1998.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 1998.