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By: **Prince George's County and Montgomery County Delegations**  
Introduced and read first time: February 12, 1998  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission Infractions -**  
3 **Montgomery County - Witnesses - Testimony by Electronic Means**  
4 **PG/MC 1-98**

5 FOR the purpose of authorizing in Montgomery County the presentation of testimony  
6 of a witness from any location by electronic means in accordance with certain  
7 rules in proceedings for Maryland-National Capital Park and Planning  
8 Commission infractions before a District Court; providing for the application of  
9 this Act; and generally relating to the presentation of testimony of a witness  
10 from any location by electronic means in Montgomery County in court  
11 proceedings for Maryland-National Capital Park and Planning Commission  
12 infractions.

13 BY adding to  
14 Article 28 - Maryland-National Capital Park and Planning Commission  
15 Section 5-113(b)(9)  
16 Annotated Code of Maryland  
17 (1997 Replacement Volume and 1997 Supplement)

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

20 **Article 28 - Maryland-National Capital Park and Planning Commission**

21 5-113.

22 (b) (9) IN MONTGOMERY COUNTY, IN ANY PROCEEDING FOR A COMMISSION  
23 INFRACTION BEFORE A DISTRICT COURT, THE TESTIMONY OF A WITNESS MAY BE  
24 PRESENTED, IN ACCORDANCE WITH RULES ADOPTED BY THE COURT OF APPEALS,  
25 FROM ANY LOCATION, BY ELECTRONIC MEANS, INCLUDING:

26 (I) ELECTRONIC TRANSMISSION OF AUDIO;

27 (II) ELECTRONIC TRANSMISSION OF AUDIO AND VIDEO; OR

1 (III) A DEPOSITION PRERECORDED UTILIZING ELECTRONIC AUDIO  
2 AND VIDEO MEANS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
4 construed only prospectively and may not be applied or interpreted to have any effect  
5 on or application to cases filed before the effective date of this Act.

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