

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

House Bill 15 (Delegates Gordon and Arnick)

Judiciary

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Crimes - Adultery - Defined

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This bill codifies the definition of adultery for purposes of the divorce laws and the statute criminalizing adultery. The bill specifies that a married person who voluntarily has sexual intercourse or commits a sexual act with a person who is not the married person’s spouse is guilty of adultery, and that a person who voluntarily has sexual intercourse or commits a sexual act with a married person who is not the person’s spouse is guilty of adultery.

Because the statute defining “sexual act” is gender-neutral, the bill contemplates that homosexual acts can qualify as adultery.

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Fiscal Summary

**State Effect:** None. The bill clarifies current law.

**Local Effect:** None.

**Small Business Effect:** None.

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**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - January 19, 1998

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