

HOUSE BILL 303

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1999 Regular Session
9lr0805
CF 9lr1027

By: **Delegate Vallario (Task Force to Examine Maryland's Crime Victims' Rights Laws) and Delegates Amedori, Barkley, Bartlett, Boschert, Boutin, Bozman, Bronrott, Brown, Burns, Cadden, Clagett, Conway, Cryor, D. Davis, DeCarlo, Dembrow, Dewberry, Doory, Dypski, Edwards, Frush, Fulton, Glassman, Goldwater, Healey, Heller, Hixson, Howard, Hubbard, Hubers, Hurson, A. Jones, V. Jones, Kopp, Love, McClenahan, McHale, McKee, Moe, Mohorovic, Nathan-Pulliam, O'Donnell, Owings, Palumbo, Parrott, Petzold, Pitkin, Proctor, Rawlings, Redmer, Riley, Rosso, Rudolph, Rzepkowski, Sophocleus, Swain, Turner, Valderrama, and Zirkin**

Introduced and read first time: February 4, 1999
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Victims' Rights - Attendance at Proceedings - Loss of Employment**
3 **Prohibited**

4 FOR the purpose of prohibiting an employer from depriving certain persons who are
5 victims or victims' representatives of employment because of attendance at
6 certain criminal or juvenile proceedings when the victims or victims'
7 representatives have a right to attend the proceedings; and generally relating to
8 the right of the victim or the victim's representative to be present at certain
9 criminal or juvenile proceedings.

10 BY adding to
11 Article 27 - Crimes and Punishments
12 Section 778
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1998 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - Courts and Judicial Proceedings
17 Section 9-205
18 Annotated Code of Maryland
19 (1998 Replacement Volume)

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

1

Article 27 - Crimes and Punishments

2 778.

3 AS PROVIDED IN § 9-205 OF THE COURTS ARTICLE, A PERSON MAY NOT BE
4 DEPRIVED OF EMPLOYMENT SOLELY BECAUSE OF JOB TIME LOST AS A RESULT OF
5 THE PERSON'S ATTENDANCE AT A PROCEEDING THAT THE PERSON HAS A RIGHT TO
6 ATTEND UNDER § 773 OR § 857 OF THIS ARTICLE OR UNDER § 3-812 OF THE COURTS
7 ARTICLE.

8

Article - Courts and Judicial Proceedings

9 9-205.

10 (a) An employer may not deprive an employee of the employee's job solely
11 because of job time lost by the employee as a result of:

12 (1) [the] THE employee's response to a subpoena requiring the employee
13 to appear as a witness in any civil or criminal proceeding, including discovery
14 proceedings; OR

15 (2) THE EMPLOYEE'S ATTENDANCE AT A PROCEEDING THAT THE
16 EMPLOYEE HAS A RIGHT TO ATTEND UNDER ARTICLE 27, § 773 OR § 857 OF THE CODE,
17 OR UNDER § 3-812 OF THIS ARTICLE.

18 (b) An employer that violates subsection (a) of this section may be fined not
19 more than \$1,000.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 1999.