

HOUSE BILL 303

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E2

1999 Regular Session  
9lr0805  
CF 9lr1027

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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

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 9, 1999

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CHAPTER \_\_\_\_\_

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

1 Section 9-205  
2 Annotated Code of Maryland  
3 (1998 Replacement Volume)

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

6 **Article 27 - Crimes and Punishments**

7 778.

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

13 **Article - Courts and Judicial Proceedings**

14 9-205.

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

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

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

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

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