

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL NO. 472

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike "Criminal Procedure - Wiretapping - Exceptions for Out-of-State Interception" and substitute "Courts - Wiretapping and Electronic Surveillance - Admissibility of Evidence"; strike beginning with "allowing" in line 4 down through "communications" in line 12, and substitute "authorizing intercepted communications between certain persons or in another jurisdiction to be received into evidence in certain criminal proceedings under certain circumstances; and generally relating to admissibility of evidence of certain communications"; in line 15, strike ", 10-407(c),"; and in the same line, strike "and 10-408(i)".

AMENDMENT NO. 2

On page 2, after line 5, insert:

"(B) THE CONTENTS OF AN INTERCEPTED COMMUNICATION, INCLUDING AN INTERCEPTION PROHIBITED UNDER THIS SUBTITLE, MAY BE RECEIVED INTO EVIDENCE IN ANY CRIMINAL PROCEEDING, IF SUCH COMMUNICATION WAS:

(1) INTERCEPTED BY AT LEAST ONE OF TWO OR MORE PERSONS WHO WERE A PARTY TO THE INTERCEPTED COMMUNICATION AND WERE NOT ACTING AS LAW ENFORCEMENT AGENTS AND THE INTERCEPTED COMMUNICATION IS RELEVANT TO A CRIME AT ISSUE IN THE PROCEEDING; OR

(2) INTERCEPTED IN ANOTHER JURISDICTION, AND THE INTERCEPTION WOULD NOT BE EXCLUDED IN A CRIMINAL PROCEEDING IN THE OTHER JURISDICTION."

On pages 2 through 4, strike in their entirety the lines beginning with line 6 on page 2 through line 26 on page 4, inclusive.

On page 4, in line 27, strike "3." and substitute "2.".