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By: **Delegates Hecht, Shriver, and Rudolph**  
Introduced and read first time: February 11, 2000  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Child Sexual Offenses - Travel**

3 FOR the purpose of prohibiting a person from traveling or conspiring to travel for the  
4 purpose of engaging in certain prohibited sexual activities with individuals  
5 under a certain age; establishing certain penalties; providing for the venue of  
6 certain courts; authorizing interception of certain communications for certain  
7 purposes in connection with enforcement of this Act; making the provisions of  
8 this Act severable; and generally relating to crimes against or involving  
9 individuals under a certain age.

10 BY adding to  
11 Article 27 - Crimes and Punishments  
12 Section 464H  
13 Annotated Code of Maryland  
14 (1996 Replacement Volume and 1999 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article - Courts and Judicial Proceedings  
17 Section 10-402(c)(2)  
18 Annotated Code of Maryland  
19 (1998 Replacement Volume and 1999 Supplement)

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

22 **Article 27 - Crimes and Punishments**

23 464H.

24 (A) A PERSON MAY NOT TRAVEL OR CONSPIRE TO TRAVEL FOR THE PURPOSE  
25 OF ENGAGING IN A SEXUAL ACT OR VAGINAL INTERCOURSE WITH AN INDIVIDUAL  
26 UNDER THE AGE OF 18 YEARS THAT IS PROHIBITED UNDER THIS SUBHEADING.

1 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
2 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A  
3 FINE NOT EXCEEDING \$3,000 OR BOTH.

4 (C) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM  
5 AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY OFFENSE  
6 BASED ON THE ACT ESTABLISHING THE OFFENSE UNDER THIS SECTION.

7 (D) A COURT OF COMPETENT JURISDICTION MAY TRY A PERSON CHARGED  
8 WITH VIOLATING THIS SECTION IN A COUNTY WHERE:

9 (1) THE TRAVEL BEGAN, CONTINUED, OR ENDED; OR

10 (2) THE PERSON COMMITTED THE VIOLATION, IF ANY, OF THIS  
11 SUBHEADING AGAINST THE INDIVIDUAL UNDER THE AGE OF 18 YEARS.

12 **Article - Courts and Judicial Proceedings**

13 10-402.

14 (c) (2) It is lawful under this subtitle for an investigative or law enforcement  
15 officer acting in a criminal investigation or any other person acting at the prior  
16 direction and under the supervision of an investigative or law enforcement officer to  
17 intercept a wire, oral, or electronic communication in order to provide evidence of the  
18 commission of the offenses of murder, kidnapping, rape, a sexual offense in the first or  
19 second degree, A VIOLATION OF ARTICLE 27, § 464H OF THE CODE, child abuse, child  
20 pornography, as defined under Article 27, §§ 419A and 419B of the Code, gambling,  
21 robbery, any felony punishable under the "Arson and Burning" subheading of Article  
22 27, bribery, extortion, or dealing in controlled dangerous substances, including  
23 violations of Article 27, § 286B or § 287A, fraudulent insurance acts, as defined in  
24 Title 27, Subtitle 4 of the Insurance Article, offenses relating to destructive devices  
25 under Article 27, § 139C of the Code, or any conspiracy or solicitation to commit any  
26 of these offenses, or where any person has created a barricade situation and probable  
27 cause exists for the investigative or law enforcement officer to believe a hostage or  
28 hostages may be involved, where the person is a party to the communication or one of  
29 the parties to the communication has given prior consent to the interception.

30 SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this  
31 Act or the application thereof to any person or circumstance is held invalid for any  
32 reason in a court of competent jurisdiction, the invalidity does not affect other  
33 provisions or any other application of this Act which can be given effect without the  
34 invalid provision or application, and for this purpose the provisions of this Act are  
35 declared severable.

36 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
37 October 1, 2000.