

SENATE BILL 305

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2000 Regular Session  
0lr2356  
CF 0lr2305

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By: **Senator Baker**

Introduced and read first time: February 1, 2000

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Law Enforcement - Interception of Communications - Evidence of**  
3 **Regulated Firearms Offenses**

4 FOR the purpose of authorizing an investigative or law enforcement officer or certain  
5 persons acting at the prior direction and under the supervision of an  
6 investigative or law enforcement officer in a criminal investigation to intercept a  
7 wire, oral, or electronic communication in order to provide evidence of the  
8 commission of certain offenses relating to the unlawful sale, purchase, transfer,  
9 or possession of regulated firearms; and generally relating to the interception of  
10 communications to provide evidence of the commission of certain offenses.

11 BY repealing and reenacting, with amendments,  
12 Article - Courts and Judicial Proceedings  
13 Section 10-402(c)(2)  
14 Annotated Code of Maryland  
15 (1998 Replacement Volume and 1999 Supplement)

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

18 **Article - Courts and Judicial Proceedings**

19 10-402.

20 (c) (2) It is lawful under this subtitle for an investigative or law enforcement  
21 officer acting in a criminal investigation or any other person acting at the prior  
22 direction and under the supervision of an investigative or law enforcement officer to  
23 intercept a wire, oral, or electronic communication in order to provide evidence of the  
24 commission of the offenses of murder, kidnapping, rape, a sexual offense in the first or  
25 second degree, child abuse, child pornography, as defined under Article 27, §§ 419A  
26 and 419B of the Code, gambling, robbery, any felony punishable under the "Arson and  
27 Burning" subheading of Article 27, bribery, extortion, or dealing in controlled  
28 dangerous substances, including violations of Article 27, § 286B or § 287A, fraudulent  
29 insurance acts, as defined in Title 27, Subtitle 4 of the Insurance Article, offenses  
30 relating to destructive devices under Article 27, § 139C of the Code, OFFENSES

1 RELATING TO THE UNLAWFUL SALE, PURCHASE, TRANSFER, OR POSSESSION OF A  
2 REGULATED FIREARM UNDER THE "REGULATED FIREARMS" SUBHEADING OF  
3 ARTICLE 27 OF THE CODE, or any conspiracy or solicitation to commit any of these  
4 offenses, or where any person has created a barricade situation and probable cause  
5 exists for the investigative or law enforcement officer to believe a hostage or hostages  
6 may be involved, where the person is a party to the communication or one of the  
7 parties to the communication has given prior consent to the interception.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2000.