### SENATE BILL 116

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(PRE-FILED)

By: Chairman, Judicial Proceedings Committee (Departmental - Public Safety and Correctional Services)

Requested: October 19, 2001

Introduced and read first time: January 9, 2002

Assigned to: Judicial Proceedings

### A BILL ENTITLED

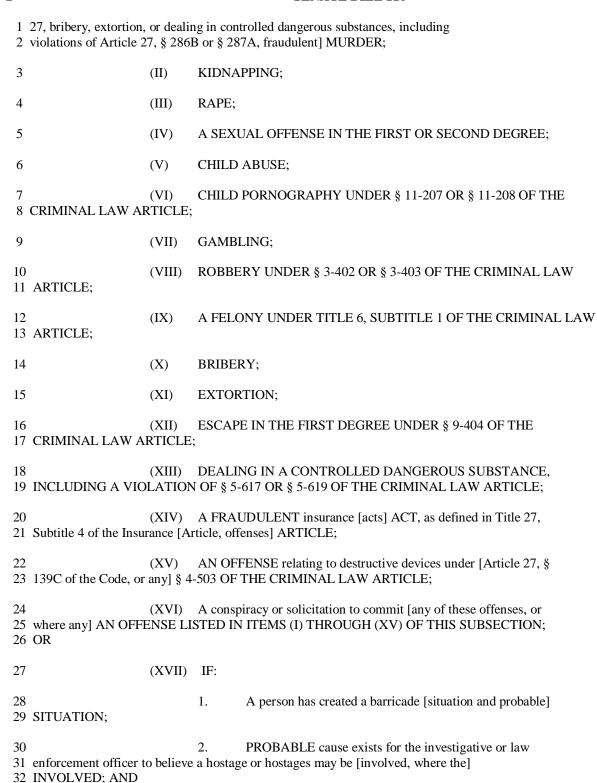
4	AT		•
1	AN	ACT	concerning

# 2 Crimes - Interception of Communications - Escape

- 3 FOR the purpose of authorizing an investigative or law enforcement officer or certain
- 4 other persons to intercept a wire, oral, or electronic communication in order to
- 5 provide evidence of the commission of the offenses of escape in the first degree or
- 6 conspiracy or solicitation to escape in the first degree; correcting certain
- 7 cross-references; making stylistic changes; and generally relating to the
- 8 interception of wire, oral, or electronic communications and the crime of escape
- 9 in the first degree.
- 10 BY repealing and reenacting, with amendments,
- 11 Article Courts and Judicial Proceedings
- 12 Section 10-402(c)(2)
- 13 Annotated Code of Maryland
- 14 (1998 Replacement Volume and 2001 Supplement)
- 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 16 MARYLAND, That the Laws of Maryland read as follows:

### 17 Article - Courts and Judicial Proceedings

- 18 10-402.
- 19 (c) (2) It is lawful under this subtitle for an investigative or law enforcement
- 20 officer acting in a criminal investigation or any other person acting at the prior
- 21 direction and under the supervision of an investigative or law enforcement officer to
- 22 intercept a wire, oral, or electronic communication in order to provide evidence of the
- 23 commission of:
- 24 (I) [the offenses of murder, kidnapping, rape, a sexual offense in
- 25 the first or second degree, child abuse, child pornography, as defined under Article 27,
- 26 §§ 419A and 419B of the Code, gambling, robbery under Article 27, § 486 or § 487 of
- 27 the Code, any felony punishable under the "Arson and Burning" subheading of Article



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- 1 3. A. THE person is a party to the [communication or one]
- 2 COMMUNICATION; OR
- B. ONE of the parties to the communication has given prior
- 4 consent to the interception.
- 5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 6 October 1, 2002.