
By: **Delegates Dumais, Barkley, Bobo, V. Clagett, Cryor, Doory, Feldman,
Goldwater, Gutierrez, Haddaway, Hubbard, Jameson, Kaiser, Lee, Love,
Madaleno, Mandel, Marriott, Menes, Montgomery, Pendergrass,
Petzold, Ross, and F. Turner**

Introduced and read first time: February 11, 2005

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Sexual Offenses - Physical Resistance Not Required**

3 FOR the purpose of providing that certain evidence is not required to prove that a
4 certain crime was committed; providing that the provisions of this Act may not
5 be construed to affect the admissibility of certain evidence; and generally
6 relating to sexual offenses.

7 BY adding to

8 Article - Criminal Law

9 Section 3-319.1

10 Annotated Code of Maryland

11 (2002 Volume and 2004 Supplement)

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

14 **Article - Criminal Law**

15 3-319.1.

16 (A) EVIDENCE OF PHYSICAL RESISTANCE BY THE VICTIM IS NOT REQUIRED
17 TO PROVE THAT A CRIME UNDER THIS SUBTITLE WAS COMMITTED.

18 (B) THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION MAY NOT BE
19 CONSTRUED TO AFFECT THE ADMISSIBILITY OF EVIDENCE OF ACTUAL PHYSICAL
20 RESISTANCE BY THE VICTIM.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2005.