HOUSE BILL 1148

D1, E2 2lr1531

By: Delegates Lee, Pena-Melnyk, Gutierrez, Arora, Cane, Carr, Conaway, Cullison, DeBoy, Dumais, Elliott, Glenn, Healey, Jameson, A. Kelly, Luedtke, A. Miller, Nathan-Pulliam, B. Robinson, S. Robinson, Stocksdale, and Valderrama

Introduced and read first time: February 10, 2012

Assigned to: Judiciary

AN ACT concerning

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9-114.

A BILL ENTITLED

1	THE T CONCERNING					
2	Courts - Victims of Crime - Interpreters					
3	FOR the purpose of altering certain requirements relating to the use of an interpreter					
4	in court to include the appointment of an interpreter for a victim or victim's					
5	representative who is deaf or cannot readily understand or communicate the					
6	spoken English language; authorizing a victim or victim's representative to					
7	apply for appointment of a certain interpreter; making conforming changes;					
8	making a certain technical correction; and generally relating to interpreters					
9	court proceedings.					
10	BY repealing and reenacting, with amendments,					
11	Article – Courts and Judicial Proceedings					
12	Section 9–114(a)					
13	Annotated Code of Maryland					
14	(2006 Replacement Volume and 2011 Supplement)					
15	BY repealing and reenacting, without amendments,					
16	Article – Criminal Procedure					
17	Section 11–104(a)					
18	Annotated Code of Maryland					
19	(2008 Replacement Volume and 2011 Supplement)					
20	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF					
21	MARYLAND, That the Laws of Maryland read as follows:					

Article - Courts and Judicial Proceedings

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 2 3 4 5	(a) (1) If a party [or], A witness, OR A VICTIM OR VICTIM'S REPRESENTATIVE, AS DEFINED IN § 11–104(A) OF THE CRIMINAL PROCEDURE ARTICLE, is deaf or cannot readily understand or communicate the spoken English language, any party OR A VICTIM OR VICTIM'S REPRESENTATIVE may apply to the court for the appointment of a qualified interpreter to assist that person.					
6 7 8	(2) [Upon the application of any party or witness who is deaf] ON RECEIVING THE APPLICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, the court shall appoint a qualified interpreter to assist that person.					
9 10 11 12	(3) The court shall maintain a directory of interpreters for manual communication [and/or] OR oral interpretation to assist deaf persons OR PERSONS WHO CANNOT READILY UNDERSTAND OR COMMUNICATE THE SPOKEN ENGLISH LANGUAGE.					
13	Article - Criminal Procedure					
14	11–104.					
15	(a)	(1)	In th	is section the following words have the meanings indicated.		
16 17	emotional,	(2) or fina	"Victim" means a person who suffers actual or threatened physical, ancial harm as a direct result of a crime or delinquent act.			
18 19	a victim wh	(3) no is:	"Victim's representative" includes a family member or guardian of			
20			(i)	a minor;		
21			(ii)	deceased; or		
22			(iii)	disabled.		
23 24	SEC'		2. ANI	BE IT FURTHER ENACTED, That this Act shall take effect		