

HOUSE BILL 540

E2

3lr2020

By: **Delegates Niemann and Clippinger**

Introduced and read first time: January 30, 2013

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Search Warrants – Foreign Entities**

3 FOR the purpose of requiring a certain foreign entity that is served with a search
4 warrant authorizing the seizure of documents or records to provide the
5 documents or records in compliance with the search warrant; providing that, for
6 purposes of this Act, service is effective if the service is made in accordance with
7 the provisions of the Maryland Rules governing service of process; defining a
8 certain term; and generally relating to search warrants.

9 BY adding to
10 Article – Criminal Procedure
11 Section 1–203.1
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2012 Supplement)

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

16 **Article – Criminal Procedure**

17 **1–203.1.**

18 **(A) IN THIS SECTION, “FOREIGN ENTITY” HAS THE MEANING STATED IN**
19 **TITLE 1, SUBTITLE 5 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.**

20 **(B) A FOREIGN ENTITY THAT IS SERVED WITH A SEARCH WARRANT**
21 **AUTHORIZING THE SEIZURE OF DOCUMENTS OR RECORDS SHALL PROVIDE THE**
22 **DOCUMENTS OR RECORDS IN COMPLIANCE WITH THE SEARCH WARRANT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) FOR PURPOSES OF THIS SECTION, SERVICE IS EFFECTIVE IF THE**
2 **SERVICE IS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE MARYLAND**
3 **RULES GOVERNING SERVICE OF PROCESS.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2013.