

SENATE BILL 67

P3

3lr0043

(PRE-FILED)

By: **Chair, Budget and Taxation Committee (By Request – Departmental – Budget and Management)**

Requested: October 4, 2012

Introduced and read first time: January 9, 2013

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 21, 2013

CHAPTER _____

1 AN ACT concerning

2 **Central Collection Unit – Monitoring and Recording of Telephone Calls –**
3 **Training and Quality Control Purposes**

4 FOR the purpose of authorizing the Central Collection Unit in the Department of
5 Budget and Management to manage the monitoring and recording of certain
6 telephone calls for certain purposes; requiring monitored or recorded telephone
7 calls to contain a certain notice; prohibiting the Central Collection Unit from
8 recording or monitoring calls to or from certain lines of employees of the Unit;
9 prohibiting the recording of a certain incoming telephone call to be offered in
10 evidence in certain proceedings, except under certain circumstances; prohibiting
11 a recording of a telephone call to be retained for longer than a certain number of
12 days, except under certain circumstances; and generally relating to the
13 monitoring and recording of telephone calls by the Central Collection Unit.

14 BY adding to
15 Article – State Finance and Procurement
16 Section 3–304(d)
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2012 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – State Finance and Procurement

2 3–304.

3 (D) (1) NOTWITHSTANDING THE PROVISIONS OF § 9–602 OF THE
4 CRIMINAL LAW ARTICLE, AND SUBJECT TO ~~PARAGRAPH (2)~~ PARAGRAPHS (2)
5 THROUGH (5) OF THIS SUBSECTION, THE CENTRAL COLLECTION UNIT MAY
6 MANAGE THE MONITORING AND RECORDING OF INCOMING TELEPHONE CALLS
7 ~~TO EMPLOYEES OF THE CENTRAL COLLECTION UNIT TO TELEPHONES WITHIN~~
8 ~~THE OFFICES OF THE CENTRAL COLLECTION UNIT;~~

9 (I) TO THE AUTOMATED CALL DISTRIBUTION SYSTEM; AND

10 (II) FOR TRAINING AND QUALITY CONTROL PURPOSES.

11 (2) ANY MONITORED OR RECORDED TELEPHONE CALL SHALL
12 CONTAIN A NOTICE TO THE TELEPHONE CALLER THAT “YOUR CALL MAY BE
13 RECORDED OR MONITORED FOR TRAINING AND QUALITY CONTROL PURPOSES”.

14 (3) THE CENTRAL COLLECTION UNIT MAY NOT RECORD OR
15 MONITOR CALLS TO OR FROM A DIRECT INDIVIDUAL LINE OF AN EMPLOYEE OF
16 THE CENTRAL COLLECTION UNIT.

17 (4) THE RECORDING OF AN INCOMING TELEPHONE CALL TO AN
18 EMPLOYEE OF THE CENTRAL COLLECTION UNIT MAY NOT BE OFFERED AS
19 EVIDENCE IN A CRIMINAL OR CIVIL PROCEEDING AGAINST ANY CALLER UNLESS:

20 (I) THE CALLER HAS MADE A PERSONAL OR IMMINENT
21 THREAT AGAINST AN EMPLOYEE OR PROPERTY OF THE STATE; OR

22 (II) THE CALLER OR CALLER’S REPRESENTATIVE FIRST
23 INTRODUCES THE CONTENTS OR EXISTENCE OF THE RECORDED TELEPHONE
24 CALL IN THE CRIMINAL OR CIVIL PROCEEDING.

25 (5) A RECORDING OF A TELEPHONE CALL MAY NOT BE RETAINED
26 BY THE CENTRAL COLLECTION UNIT FOR LONGER THAN 60 DAYS, UNLESS THE
27 RECORDING IS BEING USED OR IS TO BE USED:

28 (I) FOR TRAINING OR QUALITY CONTROL PURPOSES; OR

29 (II) IN A CRIMINAL OR CIVIL PROCEEDING UNDER
30 PARAGRAPH (4) OF THIS SUBSECTION.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 July 1, 2013.