CONSTITUTIONAL AMENDMENT

0 lr 3775

By: Delegate Grammer

Rules suspended

Introduced and read first time: March 4, 2020 Assigned to: Rules and Executive Nominations

## A BILL ENTITLED

1	AN ACT concerning
2 3	General Assembly – Legislative Privilege – Exception for Records Related to a Crime
4 5 6 7 8 9	FOR the purpose of proposing an amendment to the Maryland Constitution to provide that the prohibition against the freedom of speech and debate or proceedings in the Legislature being impeached in a court does not prohibit the disclosure of certain records; providing that the prohibition against Senators and Delegates being liable in certain actions for words spoken in debate does not prohibit the disclosure of certain records; and submitting this amendment to the qualified voters of the State for their adoption or rejection.
11 12 13	BY proposing an amendment to the Maryland Constitution Declaration of Rights Article 10
14 15 16	BY proposing an amendment to the Maryland Constitution Article III – Legislative Department Section 18
17 18 19	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, (Three—fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Maryland Constitution read as follows:
20	Declaration of Rights
21	10.
22 23	(A) That freedom of speech and debate, or proceedings in the Legislature, ought not to be impeached in any Court of Judicature.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (B) THIS ARTICLE DOES NOT PROHIBIT THE DISCLOSURE OF RECORDS THAT 2 ARE RELATED TO A CRIME OF WHICH A MEMBER OR FORMER MEMBER OF THE 3 GENERAL ASSEMBLY HAS BEEN CONVICTED.

## Article III - Legislative Department

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- 6 **(A)** No Senator or Delegate shall be liable in any civil action, or criminal prosecution, whatever, for words spoken in debate.
- 8 (B) THIS SECTION DOES NOT PROHIBIT THE DISCLOSURE OF RECORDS
  9 THAT ARE RELATED TO A CRIME OF WHICH A SENATOR OR DELEGATE OR FORMER
  10 SENATOR OR DELEGATE HAS BEEN CONVICTED.
- SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed by Section 1 of this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply.
  - SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified voters of the State at the next general election to be held in November 2020 for adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that general election, the vote on the proposed amendment to the Constitution shall be by ballot, and on each ballot there shall be printed the words "For the Constitutional Amendment" and "Against the Constitutional Amendment", as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV.