

HOUSE BILL 331

E4, E3

1lr1069

(PRE-FILED)

By: **Delegate Johnson**

Requested: October 22, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Questioning of Minors by Police Officers**

3 FOR the purpose of prohibiting a police officer from questioning a certain minor unless an
4 attorney for the minor is physically present with the minor or communicating with
5 the minor through certain means; and generally relating to questioning of minors by
6 police officers.

7 BY adding to

8 Article – Criminal Procedure

9 Section 2–109

10 Annotated Code of Maryland

11 (2018 Replacement Volume and 2020 Supplement)

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

14 **Article – Criminal Procedure**

15 **2–109.**

16 **A POLICE OFFICER MAY NOT QUESTION A MINOR WHO IS IN POLICE CUSTODY**
17 **UNLESS AN ATTORNEY FOR THE MINOR IS:**

18 **(1) PHYSICALLY PRESENT WITH THE MINOR; OR**

19 **(2) COMMUNICATING WITH THE MINOR THROUGH LIVE, TWO-WAY**
20 **ELECTRONIC AUDIO AND VIDEO COMMUNICATION.**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 October 1, 2021.