

HOUSE BILL 387

E2, D3

3lr1155
CF SB 236

By: **Delegate Bouchat**

Introduced and read first time: January 26, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Evidence – Witness Credibility – Forgery Conviction**

3 FOR the purpose of requiring that evidence that a witness has been convicted of forgery be
4 admitted in court for the purpose of attacking the credibility of the witness under
5 certain circumstances; and generally relating to evidence relating to witness
6 credibility.

7 BY repealing and reenacting, with amendments,
8 Article – Courts and Judicial Proceedings
9 Section 10–905
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2022 Supplement)

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

14 **Article – Courts and Judicial Proceedings**

15 10–905.

16 (a) (1) Evidence is admissible to prove the interest of a witness in any
17 proceeding, or the fact of the witness’s conviction of an infamous crime other than the
18 common law offense of sodomy as it existed before October 1, 2020.

19 (2) Evidence of conviction is not admissible if an appeal is pending, or the
20 time for an appeal has not expired, or the conviction has been reversed, and there has been
21 no retrial or reconviction.

22 (b) The certificate, under the seal of the clerk of the court, of the court in which
23 the conviction occurred is sufficient evidence of the conviction.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (c) Evidence that a witness has been convicted of perjury **OR FORGERY** shall be
2 admitted for the purpose of attacking the credibility of the witness, regardless of the date
3 of the conviction, if the evidence is elicited from the witness or established by public record
4 during examination of the witness.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2023.