

SENATE BILL 47

C9, D1

3lr0779

(PRE-FILED)

By: **Senator Sydnor**

Requested: November 15, 2022

Introduced and read first time: January 11, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Evidence – Wiretapping and Electronic Surveillance – Fair Housing Testing**

3 FOR the purpose of providing that it is lawful for a person to intercept a wire, oral, or
4 electronic communication if the person is working as a fair housing tester for a
5 certain fair housing testing program under certain circumstances; and generally
6 relating to wire and electronic surveillance.

7 BY adding to

8 Article – Courts and Judicial Proceedings

9 Section 10–402(c)(12)

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 10–402.

16 (c) **(12) IT IS LAWFUL UNDER THIS SUBTITLE FOR A PERSON TO**
17 **INTERCEPT A WIRE, ORAL, OR ELECTRONIC COMMUNICATION IF:**

18 **(1) THE PERSON IS WORKING AS A FAIR HOUSING TESTER FOR**
19 **A FAIR HOUSING TESTING PROGRAM OPERATED BY:**

20 **1. THE FEDERAL GOVERNMENT;**

21 **2. THE STATE;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **3. A LOCAL GOVERNMENT; OR**

2 **4. A NONPROFIT CIVIL RIGHTS ORGANIZATION;**

3 **(II) THE PERSON IS A PARTY TO THE COMMUNICATION; AND**

4 **(III) THE INTERCEPTION IS BEING MADE FOR THE PURPOSE OF**
5 **OBTAINING EVIDENCE OF A FAIR HOUSING VIOLATION UNDER FEDERAL, STATE, OR**
6 **LOCAL LAW.**

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