

HB0130/923424/1

BY: Judiciary Committee

AMENDMENTS TO HOUSE BILL 130  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Simpson**” and substitute “**Delegates Simpson, Grammer, and Conaway**”; in line 2, before “**Penalty**” insert “**Statute of Limitations and**”; in line 3, after the first “of” insert “altering the statute of limitations applicable to a certain offense relating to the prohibition against intercepting and disclosing any wire, oral, or electronic communications and”; in the same line, strike “, as a misdemeanor instead of a felony, a certain” and substitute “the”; strike beginning with “relating” in line 4 down through “communications” in line 5 and substitute “as a misdemeanor instead of a felony”; in line 8, after “Section” insert “5–106(a) and (b) and”; and after line 10, insert:

“BY adding to

Article – Courts and Judicial Proceedings

Section 5–106(jj)

Annotated Code of Maryland

(2020 Replacement Volume and 2024 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“5–106.

(a) Except as provided by this section, § 1–303 of the Environment Article, and § 8–1815 of the Natural Resources Article, a prosecution for a misdemeanor shall be instituted within 1 year after the offense was committed.

(b) Notwithstanding § 9–103(a)(3) of the Correctional Services Article or any

other provision of the Code, if a statute provides that a misdemeanor is punishable by imprisonment in the penitentiary or that a person is subject to this subsection:

(1)    The State may institute a prosecution for the misdemeanor at any time; and

(2)    For purposes of the Maryland Constitution, the person:

(i)    Shall be deemed to have committed a misdemeanor whose punishment is confinement in the penitentiary; and

(ii)   May reserve a point or question for in banc review as provided under Article IV, § 22 of the Maryland Constitution.

**(JJ) A CRIMINAL PROSECUTION UNDER § 10-402(A) OF THIS ARTICLE SHALL BE INSTITUTED WITHIN 5 YEARS AFTER THE OFFENSE WAS COMMITTED.”.**