

SB0107/943126/1

BY: Senator Folden

AMENDMENTS TO SENATE BILL 107
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Testing**” insert “**and Criminal Proceedings**”; in line 5, after “circumstances” insert “; **providing that it is lawful for a person to intercept an oral communication for the purpose of providing evidence of a certain crime**”; and in line 9, after “10–402(c)(12)” insert “**and (13)**”.

AMENDMENT NO. 2

On page 4, after line 2, insert:

“(13) (i) IT IS LAWFUL UNDER THIS SUBTITLE FOR A PERSON TO INTERCEPT AN ORAL COMMUNICATION IF THE INTERCEPTED COMMUNICATION IS BEING MADE TO OBTAIN EVIDENCE OF THE COMMISSION OF:

- 1. A SEXUAL OFFENSE IN THE FIRST OR SECOND DEGREE;**
- 2. CHILD ABUSE IN THE FIRST DEGREE;**
- 3. SEXUAL SOLICITATION OF A MINOR UNDER § 3-324 OF THE CRIMINAL LAW ARTICLE;**
- 4. SEXUAL ABUSE OF A MINOR UNDER § 3-602 OF THE CRIMINAL LAW ARTICLE; OR**
- 5. DOMESTIC ABUSE.**

(II) THE CONTENTS OF AN INTERCEPTED ORAL COMMUNICATION MADE IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE USED ONLY FOR THE PURPOSE OF PROVIDING EVIDENCE OF THE COMMISSION OF A CRIME LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH IN A CRIMINAL PROCEEDING.”.