HOUSE BILL 293

E2 5lr1800 HB 141/24 – JUD CF 5lr1801

By: Delegates Pippy and Simpson

Introduced and read first time: January 9, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

Criminal Procedure - Child Victims - Testimony in Child Abuse Cases

- 3 FOR the purpose of altering a certain requirement under which a court is authorized to
- 4 order that the testimony of a child victim be taken outside a courtroom and shown
- 5 in the courtroom by closed circuit television in certain child abuse cases; and
- 6 generally relating to testimony of child victims.
- 7 BY repealing and reenacting, with amendments,
- 8 Article Criminal Procedure
- 9 Section 11–303
- 10 Annotated Code of Maryland
- 11 (2018 Replacement Volume and 2024 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 11–303.

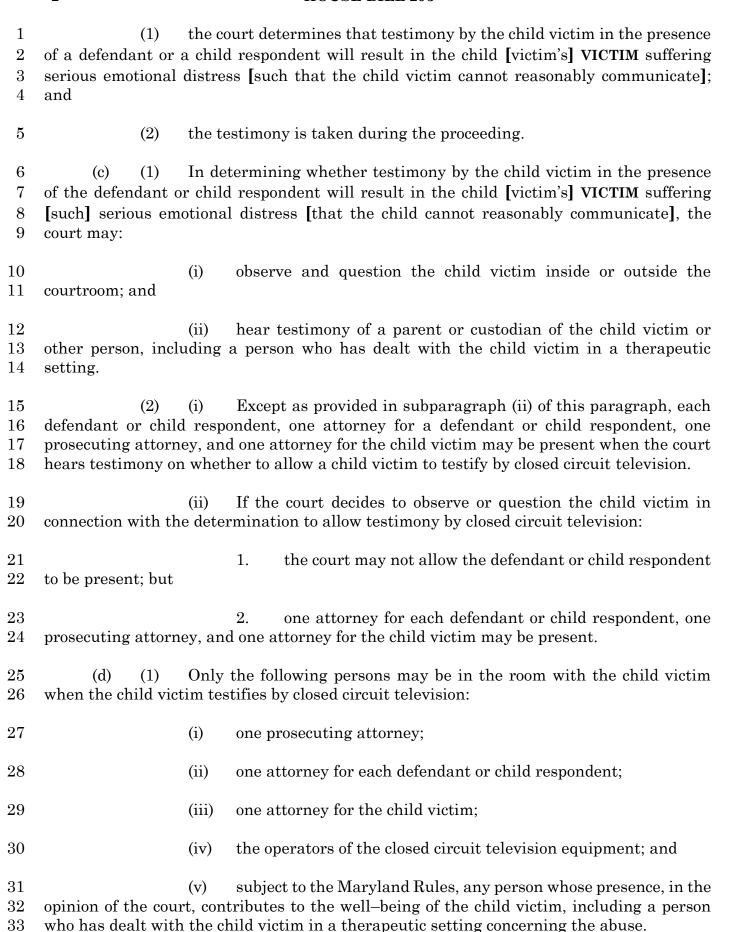
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- 16 (a) (1) This section applies to a case of abuse of a child under Title 5, Subtitle
- 17 7 of the Family Law Article or § 3–601 or § 3–602 of the Criminal Law Article.
- 18 (2) This section does not apply if a defendant or child
- 19 RESPONDENT IS WITHOUT COUNSEL.
- 20 (b) A court may order that the testimony of a child victim be taken outside the
- 21 courtroom and shown in the courtroom by closed circuit television if:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





- 1 (2) During the child victim's testimony by closed circuit television, the court and the defendant or child respondent shall be in the courtroom.
- 3 (3) [The] SUBJECT TO SUBSECTION (F) OF THIS SECTION, THE court and the defendant or child respondent shall be allowed to communicate with the persons in the room where the child victim is testifying by any appropriate electronic method.
- 6 (4) (i) In a juvenile delinquency proceeding or criminal proceeding, only 7 one prosecuting attorney, one attorney for each defendant or child respondent, and the 8 court may question the child victim.
- 9 (ii) In a child in need of assistance case, only one attorney for each 10 party and the court may question the child victim.
- 11 (e) [This section does not apply if a defendant or child respondent is without 12 counsel.
- 13 (f)] This section may not be interpreted to prevent a child victim and a defendant 14 or child respondent from being in the courtroom at the same time when the child victim is 15 asked to identify the defendant or child respondent.
- [(g)] (F) [This section does not allow] UNDER THIS SECTION, A COURT MAY NOT ORDER the use of two-way closed circuit television or other procedure that would let a child victim see or hear a defendant or child respondent.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 20 October 1, 2025.