

SENATE BILL 482

E2

0lr2292
CF 0lr2293

By: **Senator Lee**

Introduced and read first time: January 29, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Out of Court Statements of Child Victims – Child Neglect**

3 FOR the purpose of authorizing a court to admit into evidence in a certain proceeding an
4 out of court statement made by a certain child who is the alleged victim of a certain
5 crime of child neglect; making conforming changes; and generally relating to the
6 admissibility of out of court statements of child victims.

7 BY repealing and reenacting, without amendments,
8 Article – Criminal Law
9 Section 3–602.1
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2019 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Criminal Procedure
14 Section 11–304(a)
15 Annotated Code of Maryland
16 (2018 Replacement Volume and 2019 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Criminal Procedure
19 Section 11–304(b)
20 Annotated Code of Maryland
21 (2018 Replacement Volume and 2019 Supplement)

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

Article – Criminal Law

24
25 3–602.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) is the alleged victim or the child alleged to need assistance in the case
2 before the court concerning:

3 (i) child abuse under § 3–601 or § 3–602 of the Criminal Law Article;

4 **(II) CHILD NEGLECT UNDER § 3–602.1 OF THE CRIMINAL LAW**
5 **ARTICLE;**

6 **[(ii)] (III)** rape or sexual offense under §§ 3–303 through 3–307 of
7 the Criminal Law Article;

8 **[(iii)] (IV)** attempted rape in the first degree or in the second degree
9 under §§ 3–309 and 3–310 of the Criminal Law Article; or

10 **[(iv)] (V)** in a juvenile court proceeding, abuse or neglect as defined
11 in § 5–701 of the Family Law Article.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2020.