

# HOUSE BILL 1418

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2lr3086

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By: **Delegates R. Jones and Williams**

Introduced and read first time: February 17, 2022

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Marriage – Confidential Communication – Criminal Charge**

3 FOR the purpose of establishing that a spouse is competent to disclose a certain confidential  
4 communication in a criminal action in which one spouse is charged with a crime  
5 against the other spouse; and generally relating to confidential communications  
6 occurring during marriage.

7 BY repealing and reenacting, with amendments,  
8 Article – Courts and Judicial Proceedings  
9 Section 9–105  
10 Annotated Code of Maryland  
11 (2020 Replacement Volume and 2021 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 9–105.

16 (A) [One] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, ONE**  
17 spouse is not competent to disclose any confidential communication between the spouses  
18 occurring during their marriage.

19 (B) **A SPOUSE IS COMPETENT TO DISCLOSE A CONFIDENTIAL**  
20 **COMMUNICATION BETWEEN SPOUSES OCCURRING DURING THEIR MARRIAGE IN A**  
21 **CRIMINAL ACTION IN WHICH ONE SPOUSE IS CHARGED WITH A CRIME AGAINST THE**  
22 **OTHER SPOUSE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2022.