

# HOUSE BILL 290

E2  
HB 714/23 – JUD

4lr1105

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By: **Delegates Grammer and Bartlett**

Introduced and read first time: January 12, 2024

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Interception of Wire, Oral, or Electronic Communications**  
3 **– Exception for Imminent Danger**

4 FOR the purpose of authorizing a person to intercept a wire, oral, or electronic  
5 communication if the person has a good faith belief that the person, or another  
6 person, is in imminent danger of becoming the victim of a certain crime; and  
7 generally relating to interception of wire, oral, or electronic communications.

8 BY repealing and reenacting, without amendments,  
9 Article – Courts and Judicial Proceedings  
10 Section 10–402(a) and (b)  
11 Annotated Code of Maryland  
12 (2020 Replacement Volume and 2023 Supplement)

13 BY adding to  
14 Article – Courts and Judicial Proceedings  
15 Section 10–402(c)(12)  
16 Annotated Code of Maryland  
17 (2020 Replacement Volume and 2023 Supplement)

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

20 **Article – Courts and Judicial Proceedings**

21 10–402.

22 (a) Except as otherwise specifically provided in this subtitle it is unlawful for any  
23 person to:

24 (1) Willfully intercept, endeavor to intercept, or procure any other person

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 to intercept or endeavor to intercept, any wire, oral, or electronic communication;

2 (2) Willfully disclose, or endeavor to disclose, to any other person the  
3 contents of any wire, oral, or electronic communication, knowing or having reason to know  
4 that the information was obtained through the interception of a wire, oral, or electronic  
5 communication in violation of this subtitle; or

6 (3) Willfully use, or endeavor to use, the contents of any wire, oral, or  
7 electronic communication, knowing or having reason to know that the information was  
8 obtained through the interception of a wire, oral, or electronic communication in violation  
9 of this subtitle.

10 (b) Any person who violates subsection (a) of this section is guilty of a felony and  
11 is subject to imprisonment for not more than 5 years or a fine of not more than \$10,000, or  
12 both.

13 (c) **(12) IT IS LAWFUL UNDER THIS SUBTITLE FOR A PERSON TO**  
14 **INTERCEPT A WIRE, ORAL, OR ELECTRONIC COMMUNICATION IF THE PERSON HAS A**  
15 **GOOD FAITH BELIEF THAT THE PERSON INTERCEPTING THE COMMUNICATION, OR**  
16 **ANOTHER PERSON, IS IN IMMINENT DANGER OF BECOMING THE VICTIM OF:**

17 (I) **A CRIME OF VIOLENCE, AS DEFINED IN § 14–101 OF THE**  
18 **CRIMINAL LAW ARTICLE;**

19 (II) **STALKING UNDER § 3–802 OF THE CRIMINAL LAW ARTICLE;**

20 (III) **ABUSE, AS DEFINED IN § 4–501 OF THE FAMILY LAW**  
21 **ARTICLE; OR**

22 (IV) **A VIOLATION OF A PROTECTIVE ORDER UNDER § 4–509 OF**  
23 **THE FAMILY LAW ARTICLE.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2024.