HOUSE BILL 661

E46lr2582 By: Delegate Conaway Introduced and read first time: February 4, 2016 Assigned to: Judiciary Committee Report: Favorable House action: Adopted Read second time: March 8, 2016 CHAPTER AN ACT concerning Public Safety - Law Enforcement Officers - Firearm Cameras FOR the purpose of authorizing a law enforcement officer to use a certain firearm camera to intercept a certain oral communication under certain circumstances; and generally relating to law enforcement. BY repealing and reenacting, with amendments, Article – Courts and Judicial Proceedings Section 10-402(c)(11)Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: **Article - Courts and Judicial Proceedings** 10-402.In this paragraph the following words have the meanings (c) (11) (i)1. indicated. 2."Body-worn digital recording device" means a device worn on the person of a law enforcement officer that is capable of recording video and intercepting oral communications.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

October 1, 2016.

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"Electronic control device" has the meaning stated in § 1 3. 2 4–109 of the Criminal Law Article. 3 4. "FIREARM" HAS THE MEANING STATED IN § 5-101 OF THE PUBLIC SAFETY ARTICLE. 4 5 5. "FIREARM CAMERA" MEANS A DEVICE ATTACHED TO 6 A FIREARM THAT IS CAPABLE OF RECORDING VIDEO AND INTERCEPTING ORAL 7 COMMUNICATIONS. 8 It is lawful under this subtitle for a law enforcement officer in (ii) 9 the course of the officer's regular duty to intercept an oral communication with a 10 body-worn digital recording device, A FIREARM CAMERA, or an electronic control device 11 capable of recording video and oral communications if: 12 1. The law enforcement officer is in uniform or prominently 13 displaying the officer's badge or other insignia; 2. The law enforcement officer is making reasonable efforts 14 to conform to standards in accordance with § 3–511 of the Public Safety Article for the use 15 of body-worn digital recording devices or electronic control devices capable of recording 16 17 video and oral communications; 18 3. The law enforcement officer is a party to the oral 19 communication; 20 Law enforcement notifies, as soon as is practicable, the 4. 21 individual that the individual is being recorded, unless it is unsafe, impractical, or 22impossible to do so; and 235. The oral interception is being made as part of a videotape or digital recording. 2425 SECTION 2. AND BE IT FURTHER ENACTED. That this Act shall take effect