

SENATE BILL 754

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By: **Senator Folden**

Introduced and read first time: February 6, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Wiretap and Electronic Surveillance Reform Workgroup**

3 FOR the purpose of establishing the Maryland Wiretap and Electronic Surveillance Reform
4 Workgroup; and generally relating to the Maryland Wiretap and Electronic
5 Surveillance Reform Workgroup.

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
7 That:

8 (a) There is a Maryland Wiretap and Electronic Surveillance Reform Workgroup.

9 (b) The Workgroup consists of the following members:

10 (1) two members of the Senate of Maryland, appointed by the President of
11 the Senate;

12 (2) two members of the House of Delegates, appointed by the Speaker of
13 the House;

14 (3) the Public Defender, or the Public Defender's designee;

15 (4) the Attorney General, or the Attorney General's designee;

16 (5) the Chair of the Maryland Judicial Conference, or the Chair's designee;

17 (6) the Maryland State Prosecutor, or the Maryland State Prosecutor's
18 designee;

19 (7) the federal Public Defender for the District of Maryland, or the federal
20 Public Defender's designee; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (8) the following members, appointed by the Governor:

2 (i) one former member of the General Assembly, or retired Judge of
3 the Judiciary;

4 (ii) one State's Attorney;

5 (iii) one attorney licensed to practice in the State who specializes in
6 privacy law;

7 (iv) one attorney licensed to practice in the State who specializes in
8 family law;

9 (v) one law professor with expertise in evidence or privacy law from
10 the University of Maryland School of Law or the University of Baltimore School of Law;

11 (vi) one representative from a domestic violence prevention and
12 advocacy program in the State;

13 (vii) one representative from the Maryland Crime Victims' Resource
14 Center, Inc. or similar victim advocacy organization that is based in the State; and

15 (viii) one representative from the U.S. Attorney's Office for the District
16 of Maryland.

17 (c) (1) The Governor shall designate the chair of the Workgroup.

18 (2) The chair may appoint a vice chair, an executive committee, and
19 subgroups or subcommittees from among the members of the Workgroup.

20 (d) The Office of the Attorney General shall provide staff for the Workgroup.

21 (e) A member of the Workgroup:

22 (1) may not receive compensation as a member of the Workgroup; but

23 (2) is entitled to reimbursement for expenses under the Standard State
24 Travel Regulations, as provided in the State budget.

25 (f) The Workgroup shall:

26 (1) study the effectiveness of Maryland's wiretapping and electronic
27 surveillance laws;

28 (2) examine current technologies, privacy concerns, and best practices in
29 the field of wiretapping and electronic surveillance;

1 (3) examine ways to make the use of audio and visual recordings from
2 wiretapping and electronic surveillance more available to assist with the prevention of, and
3 admissible for use in proceedings relating to, domestic violence, child abuse, and the abuse
4 of the elderly and other vulnerable adults; and

5 (4) make recommendations regarding revisions to Maryland's wiretapping
6 and electronic surveillance laws.

7 (g) (1) On or before December 1, 2023, the Workgroup shall report its
8 preliminary findings and recommendations to the Governor and, in accordance with §
9 2-1257 of the State Government Article, the General Assembly.

10 (2) On or before December 1, 2024, the Workgroup shall report its final
11 findings and recommendations to the Governor and, in accordance with § 2-1257 of the
12 State Government Article, the General Assembly.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
14 1, 2023. It shall remain effective for a period of 2 years and 1 month and, at the end of June
15 30, 2025, this Act, with no further action required by the General Assembly, shall be
16 abrogated and of no further force and effect.