

SENATE BILL 758

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2lr2115
CF 2lr3016

By: **Senators Hayes, McCray, and Carter**
Introduced and read first time: February 7, 2022
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Live Video Streaming of Public Proceedings**
3 **(The Judicial Transparency Act 2.0)**

4 FOR the purpose of requiring the court to make available to the public live video streaming
5 of all public proceedings for criminal cases involving a crime of violence; prohibiting
6 a certain live video streaming from depicting a jury or certain victim; and generally
7 relating to live video streaming of certain court proceedings.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Procedure
10 Section 1–201
11 Annotated Code of Maryland
12 (2018 Replacement Volume and 2021 Supplement)

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

15 **Article – Criminal Procedure**

16 1–201.

17 (a) (1) Except as provided in [subsection] **SUBSECTIONS (b) AND (C)** of this
18 section, a person may not record or broadcast any criminal matter, including a trial,
19 hearing, motion, or argument, that is held in trial court or before a grand jury.

20 (2) This prohibition applies to the use of television, radio, and photographic
21 or recording equipment.

22 (b) Subsection (a) of this section does not apply to the use of electronic or
23 photographic equipment approved by the court:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (1) to take the testimony of a child victim under § 11–303 of this article;
2 [or]

3 (2) to perpetuate a court record; OR

4 (3) TO STREAM LIVE VIDEO IN ACCORDANCE WITH SUBSECTION (C) OF
5 THIS SECTION.

6 (c) (1) THE COURT SHALL MAKE AVAILABLE TO THE PUBLIC LIVE VIDEO
7 STREAMING OF ALL PUBLIC PROCEEDINGS FOR CRIMINAL CASES INVOLVING A
8 CRIME OF VIOLENCE UNDER § 14–101 OF THE CRIMINAL LAW ARTICLE.

9 (2) THE FOLLOWING INDIVIDUALS MAY NOT BE VISIBLE IN A LIVE
10 VIDEO STREAMING UNDER THIS SUBSECTION:

11 (I) A JUROR; AND

12 (II) AN ALLEGED VICTIM OF A SEXUAL OFFENSE.

13 (D) A person who violates this section may be held in contempt of court.

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