

obstructing justice to those crimes for which evidence may be gathered by interception of oral, wire, or electronic communications; and generally relating to wiretap and electronic surveillance and obstructing justice.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10-402(c)(2)

Annotated Code of Maryland

(2002 Replacement Volume and 2004 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.

(c) (2) (i) This paragraph applies to an interception in which:

1. The investigative or law enforcement officer or other person is a party to the communication; or

2. One of the parties to the communication has given prior consent to the interception.

(ii) It is lawful under this subtitle for an investigative or law enforcement officer acting in a criminal investigation or any other person acting at the prior direction and under the supervision of an investigative or law enforcement officer to intercept a wire, oral, or electronic communication in order to provide evidence:

1. Of the commission of:

A. Murder;

B. Kidnapping;

C. Rape;

D. A sexual offense in the first or second degree;

E. Child abuse;

F. Child pornography under § 11-207, § 11-208, or § 11-208.1 of the Criminal Law Article;

G. Gambling;

H. Robbery under § 3-402 or § 3-403 of the Criminal Law Article;

I. A felony under Title 6, Subtitle 1 of the Criminal Law Article;