

attempted rape, or an attempted sexual offense in the first or second degree] DESCRIBED IN SUBSECTION (A) OF THIS SECTION only if the judge finds that:

- (1) the evidence is relevant;
- (2) the evidence is material to a fact in issue in the case;
- (3) the inflammatory or prejudicial nature of the evidence does not outweigh its probative value; and
- (4) the evidence:
  - (i) is of the victim's past sexual conduct with the defendant;
  - (ii) is of a specific instance of sexual activity showing the source or origin of semen, pregnancy, disease, or trauma;
  - (iii) supports a claim that the victim has an ulterior motive to accuse the defendant of the crime; or
  - (iv) is offered for impeachment after the prosecutor has put the victim's prior sexual conduct in issue.

(c) (1) Evidence described in subsection (a) or (b) of this section may not be referred to in a statement to a jury or introduced in a trial unless the court has first held a closed hearing [under paragraph (2) of this subsection] and determined that the evidence is admissible.

(2) The court may reconsider a ruling excluding the evidence and hold an additional closed hearing if new information is discovered during the course of the trial that may make the evidence admissible.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

Approved April 22, 2003.

---

## CHAPTER 90

### (Senate Bill 462)

AN ACT concerning

#### **Dorchester County - Alcoholic Beverages - Board of License Commissioners**

FOR the purpose of authorizing the Board of License Commissioners for Dorchester County to employ an inspector and a recording secretary with the approval of the County Council; requiring that the inspector and recording secretary be employees of the county as provided for in the county budget; authorizing the Board to appoint legal counsel with the approval of the County Council; specifying that certain restrictions apply to legal counsel and staff assigned to the Board; requiring that county personnel policies and rules apply to certain