

(ii) for a subsequent offense, to a fine not exceeding \$2,000 or imprisonment in the State Penitentiary not exceeding 2 years or both.

SECTION 2. AND BE IT FURTHER ENACTED, That there is no statute of limitations for a misdemeanor punishable by imprisonment in the penitentiary, notwithstanding any holding or dictum to the contrary in Massey v. State, 320 Md. 605, 579 A.2d 265 (1990).

SECTION 3. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

~~SECTION 2.~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

May 24, 1991

The Honorable Thomas V. Mike Miller
President of the Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 141.

This bill concerns the Battered Spouse Syndrome and would allow a court to admit evidence of abuse of a defendant by an individual who is a spouse, former spouse, cohabitant, or former cohabitant of the defendant and who is a victim of a crime for which the defendant has been charged.

House Bill 49, which was passed by the General Assembly and signed by me on May 14, 1991, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 141.

Sincerely,
William Donald Schaefer
Governor