

**CHAPTER 257**

**(Senate Bill 468)**

AN ACT concerning

**Criminal Law – Credit Card Crimes – Use of Affidavit by Credit Cardholder  
in Criminal Case or Juvenile Proceeding**

FOR the purpose of authorizing in a criminal case or juvenile proceeding involving a violation of certain credit card crimes the introduction of the affidavit of a lawful credit cardholder as substantive evidence that the credit card or credit card number was taken, used, or possessed without the authorization of the credit cardholder; requiring the State to provide a certain notice to the defendant within a certain time period before a proceeding in which the State intends to introduce certain evidence; requiring the State to require the presence at the proceeding of a certain affiant as a prosecution witness under certain circumstances; and generally relating to the use of affidavits in criminal cases and juvenile proceedings involving credit card crimes.

BY adding to

Article – Criminal Law

Section 8–214.1

Annotated Code of Maryland

(2002 Volume and 2005 Supplement)

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

**Article – Criminal Law**

8–214.1.

(A) IN A CRIMINAL CASE OR JUVENILE PROCEEDING INVOLVING A VIOLATION OF § 8–204, § 8–205, § 8–206, § 8–207, § 8–208, § 8–209, § 8–210, OR § 8–214 OF THIS SUBTITLE, AN AFFIDAVIT SWORN TO BY A LAWFUL CREDIT CARDHOLDER MAY BE INTRODUCED AS SUBSTANTIVE EVIDENCE THAT THE CREDIT CARD OR CREDIT CARD NUMBER WAS TAKEN, USED, OR POSSESSED WITHOUT THE AUTHORIZATION OF THE CREDIT CARDHOLDER.

(B) (1) AT LEAST 10 DAYS BEFORE A PROCEEDING IN WHICH THE STATE INTENDS TO INTRODUCE INTO EVIDENCE AN AFFIDAVIT AS PROVIDED UNDER THIS SECTION THE STATE SHALL PROVIDE WRITTEN NOTICE TO THE DEFENDANT THAT THE STATE INTENDS TO:

(I) RELY ON THE AFFIDAVIT AND

(II) INTRODUCE THE AFFIDAVIT INTO EVIDENCE AT THE PROCEEDING.