

Occurred: Ch. 692, Acts of 1977; Ch. 607, Acts of 1988; Ch. 140, Acts of 1992.

12-302.

(c) In a criminal case, the State may appeal as provided in this subsection.

(3) (i) In a case involving a crime of violence as defined in § 14-101 of the Criminal Law Article, and in cases under §§ 5-602 through 5-609 and §§ 5-612 through 5-614 of the Criminal Law Article, the State may appeal from a decision of a trial court that excludes evidence offered by the State or requires the return of property alleged to have been seized in violation of the Constitution of the United States, the [Constitution of] Maryland CONSTITUTION, or the Maryland Declaration of Rights.

(vi) If the State loses the appeal, the jurisdiction shall pay all the costs related to the appeal, including reasonable [attorney] ATTORNEYS fees incurred by the defendant as a result of the appeal.

**DRAFTER'S NOTE:**

Error: Stylistic error in § 12-302(c)(3)(i); incorrect word usage in § 12-302(c)(3)(vi) of the Courts and Judicial Proceedings Article.

Occurred: Ch. 493, Acts of 1982.

**Article - Criminal Law**

3-802.

(b) The provisions of this section do not apply to conduct that is:

(3) [is] authorized, required, or protected by local, State, or federal law.

**DRAFTER'S NOTE:**

Error: Extraneous language in § 3-802(b)(3) of the Criminal Law Article.

Occurred: Ch. 313, Acts of 2003.

3-805.1.

(a) (4) "Electronic mail service provider" means any person, including an Internet service provider, that is an intermediary in sending and receiving electronic mail and that provides to the public the ability to send or receive electronic mail to or from an electronic mail account or [online] ON-LINE user account.

(b) A person may not conspire to or knowingly:

(6) violate item (1), (2), (3), (4), or (5) of this subsection by providing or selecting addresses to which a message was transmitted, knowing that:

(i) the electronic mail addresses of the recipients were obtained using an automated means from an Internet website or proprietary [online] ON-LINE service operated by another person; and