

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 1059 – *Criminal Procedure – Search and Seizure Warrants – Sealed Affidavit*.

This bill repeals a limitation on the applicability of provisions authorizing a court to order that an affidavit presented in support of a search and seizure warrant be sealed. It also authorizes a court to grant one 30-day extension of the time that an affidavit presented in support of a search and seizure warrant is to remain sealed under specified circumstances.

Senate Bill 475, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1059.

Very truly yours,
Robert L. Ehrlich, Jr.
Governor

House Bill No. 1059

AN ACT concerning

Criminal Procedure – Search and Seizure Warrants – Sealed Affidavit

FOR the purpose of repealing a certain limitation on the applicability of certain provisions authorizing a court to order that a certain affidavit be sealed under certain circumstances; ~~increasing the time period for which a certain affidavit may be sealed under certain circumstances;~~ providing that a court may grant one ~~or more extensions~~ extension of time that a certain affidavit is to remain sealed under certain circumstances; and generally relating to search and seizure warrants.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 1-203(e)

Annotated Code of Maryland

(2001 Volume and 2004 Supplement)

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

Article – Criminal Procedure

1-203.

(e) (1) [This subsection applies to criminal investigations conducted by a law enforcement unit, grand jury, or State's Attorney under Article 10, § 39A of the Code into alleged criminal activities in violation of: