

MENTAL, PHYSICAL, OR LEGAL DISABILITY, OR OTHERWISE UNABLE TO PROVIDE THE REQUIRED INFORMATION, THE PERSONAL REPRESENTATIVE, GUARDIAN, OR COMMITTEE, OR OTHER FAMILY MEMBER IS ENTITLED TO MAY, AT THE REQUEST OF THE STATE'S ATTORNEY AND IN THE DISCRETION OF THE SENTENCING JUDGE, ADDRESS THE SENTENCING JUDGE OR JURY UNDER OATH OR AFFIRMATION BEFORE THE IMPOSITION OF SENTENCE ON WRITTEN APPLICATION TO THE SENTENCING JUDGE.

~~(B) -- NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, IF AN ORAL PRESENTATION WOULD BE DISRUPTIVE OR PHYSICALLY THREATENING TO THE ORDER OF A COURT PROCEEDING, A JUDGE MAY REFUSE TO ALLOW A VICTIM OR REPRESENTATIVE TO MAKE AN ORAL ADDRESS.~~

(e) [B] (1) IF THE A THE VICTIM OR THE A THE VICTIM'S REPRESENTATIVE IS PERMITTED TO ADDRESS THE JUDGE OR JURY, THE DEFENDANT MAY CROSS-EXAMINE THE A THE VICTIM OR THE A THE VICTIM'S REPRESENTATIVE.

(2) THE CROSS-EXAMINATION IS LIMITED TO THE FACTUAL STATEMENTS MADE IN THE ADDRESS TO THE JUDGE OR JURY.

~~(B) [C]~~ (1) A VICTIM OR REPRESENTATIVE HAS THE RIGHT NOT TO ADDRESS THE COURT AT SENTENCING.

(2) A PERSON MAY NOT ATTEMPT TO COERCE A VICTIM OR REPRESENTATIVE TO ADDRESS THE COURT AT SENTENCING.

~~(E) -- THE EXERCISE OF OR THE FAILURE TO EXERCISE ANY PRIVILEGE OR RIGHT GRANTED UNDER THIS SECTION MAY NOT BE CAUSE OR GROUNDS FOR AN APPEAL OF THE SENTENCE BY A DEFENDANT OR THE STATE OR FOR A COURT TO VACATE, REVERSE, OR REMAND A CRIMINAL SENTENCE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1986.

May 27, 1986

The Honorable Melvin A. Steinberg
President of the Senate
State House
Annapolis, Maryland 21404

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 316.

This bill provides that health practitioners, police, educators, and social workers that have contact with children must report any suspected child abuse to a law enforcement agency.