

SECTION 2. AND BE IT FURTHER ENACTED, That *the provisions of this Act shall take effect only to the extent that sufficient funds to operate the program are available in the budget of the Department of Human Resources. The Department may amend its appropriation by an approved budget amendment to finance the provisions of this Act.*

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1994. It shall remain in effect for a period of 3 years and, at the end of June 30, 1997, with no further action required by the General Assembly, this Act shall be abrogated and of no further force or effect.

Approved May 2, 1994.

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## CHAPTER 169

(Senate Bill 340)

AN ACT concerning

### Judicial Proceedings – Admission of Out of Court Statements – Child Victims

~~FOR the purpose of altering the law governing the admissibility in certain proceedings of an out of court statement by a child victim by permitting certain out of court statements made by certain child victims to be admitted into evidence under certain circumstances in juvenile court proceedings; repealing a requirement that the child victim whose out of court statement may be admitted into evidence be the alleged victim or the child alleged to need assistance in the case before the court; altering the individuals who may offer testimony about an out of court statement by a child victim under certain circumstances; altering the circumstances under which certain out of court statements may be admitted in certain court proceedings; altering certain notice requirements; and generally relating to the admissibility of certain out of court statements by certain child victims allowing into evidence in certain judicial proceedings the out of court statements by child victims regardless of whether the child victim testifies under certain circumstances; permitting certain out of court statements in juvenile court proceedings; clarifying provisions related to corroborative evidence; requiring a court to conduct a certain examination of a child prior to determining the admissibility of a statement under certain circumstances; requiring certain persons to serve a certain statement on certain individuals for a certain purpose; clarifying that certain persons have the right to be present when a certain determination is made; prohibiting a defendant from being present when the court observes or questions a child in connection with the admission of an out of court statement; making provisions of this Act severable; and generally relating to the admission of out of court statements by child victims.~~

BY repealing and reenacting, with amendments,  
 Article – Courts and Judicial Proceedings  
 Section 9–103.1  
 Annotated Code of Maryland  
 (1989 Replacement Volume and 1993 Supplement)