

Approved May 8, 1997.

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**CHAPTER 317**

**(House Bill 754)**

AN ACT concerning

**Manslaughter – Inadequate Provocation – Spousal Adultery**

FOR the purpose of establishing that the discovery of one's spouse engaged in ~~sexual activity or~~ sexual intercourse with another person does not constitute legally adequate provocation for the purpose of mitigating a killing from the crime of murder to voluntary manslaughter; providing for the application of this Act; and generally relating to legally adequate provocation for mitigating a killing from murder to voluntary manslaughter.

BY adding to

Article 27 – Crimes and Punishments

Section 387A

Annotated Code of Maryland

(1996 Replacement Volume)

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

**Article 27 – Crimes and Punishments**

387A.

THE DISCOVERY OF ONE'S SPOUSE ENGAGED IN ~~SEXUAL ACTIVITY OR~~ SEXUAL INTERCOURSE WITH ANOTHER PERSON DOES NOT CONSTITUTE LEGALLY ADEQUATE PROVOCATION FOR THE PURPOSE OF MITIGATING A KILLING FROM THE CRIME OF MURDER TO VOLUNTARY MANSLAUGHTER WHEN THE KILLING WAS PROVOKED BY THAT DISCOVERY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect on or application to any crimes committed before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved May 8, 1997.

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