

accordance with the Maryland Rules; providing for the application of this Act; and generally relating to interception of wire, oral, and electronic communications.

BY repealing and reenacting, with amendments,  
 Article – Courts and Judicial Proceedings  
 Section 10-405, 10-407(c), and 10-408(i)  
 Annotated Code of Maryland  
 (1998 Replacement Volume and 2000 Supplement)

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

**Article – Courts and Judicial Proceedings**

10-405.

(A) ~~Whenever~~ EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, WHENEVER any wire or oral communication has been intercepted, no part of the contents of the communication and no evidence derived therefrom may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of this State, or a political subdivision thereof if the disclosure of that information would be in violation of this subtitle.

~~(B) THE CONTENTS OF AN INTERCEPTED COMMUNICATION, INCLUDING AN INTERCEPTION PROHIBITED UNDER THIS SUBTITLE, MAY BE RECEIVED INTO EVIDENCE IN ANY CRIMINAL PROCEEDING, IF SUCH COMMUNICATION WAS:~~

~~(1) BETWEEN INTERCEPTED BY AT LEAST ONE OF TWO OR MORE PERSONS WHO WERE A PARTY TO THE INTERCEPTED COMMUNICATION AND WERE NOT ACTING AS LAW ENFORCEMENT AGENTS AND THE INTERCEPTED COMMUNICATION IS RELEVANT TO A CRIME AT ISSUE IN THE PROCEEDING; OR~~

~~(2) INTERCEPTED IN ANOTHER JURISDICTION, AND THE INTERCEPTION WOULD NOT BE EXCLUDED IN A CRIMINAL PROCEEDING IN THE OTHER JURISDICTION.~~

(B) IF ANY WIRE OR ORAL COMMUNICATION IS INTERCEPTED IN ANY STATE OR ANY POLITICAL SUBDIVISION OF A STATE, THE UNITED STATES OR ANY TERRITORY, PROTECTORATE, OR POSSESSION OF THE UNITED STATES, INCLUDING THE DISTRICT OF COLUMBIA IN ACCORDANCE WITH THE LAW OF THAT JURISDICTION, BUT THAT WOULD BE IN VIOLATION OF THIS SUBTITLE IF THE INTERCEPTION WAS MADE IN THIS STATE, THE CONTENTS OF THE COMMUNICATION AND EVIDENCE DERIVED FROM THE COMMUNICATION MAY BE RECEIVED IN EVIDENCE IN ANY TRIAL, HEARING, OR OTHER PROCEEDING IN OR BEFORE ANY COURT, GRAND JURY, DEPARTMENT, OFFICER, AGENCY, REGULATORY BODY, LEGISLATIVE COMMITTEE, OR OTHER AUTHORITY OF THIS STATE, OR ANY POLITICAL SUBDIVISION OF THIS STATE IF: