

statement that is sufficient for certain charging documents for a violation of this Act involving contradictory statements; and generally relating to contradictory statements.

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 9-101 and 9-103

Annotated Code of Maryland

(2002 Volume and 2003 Supplement)

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

**Article - Criminal Law**

9-101.

(a) A person may not willfully and falsely make an oath or affirmation AS TO A MATERIAL FACT:

(1) if the false swearing is perjury at common law;

(2) in an affidavit required by ANY STATE, FEDERAL, OR LOCAL law;

(3) in an affidavit made to induce a court or officer to pass an account or claim;

(4) in an affidavit required [as part of a report and return made to the General Assembly or an officer of the government] BY ANY STATE, FEDERAL, OR LOCAL GOVERNMENT OR GOVERNMENTAL OFFICIAL WITH LEGAL AUTHORITY TO REQUIRE THE ISSUANCE OF AN AFFIDAVIT; or

(5) in an affidavit or affirmation made under the Maryland Rules.

(b) A person who violates this section is guilty of the misdemeanor of perjury and on conviction is subject to imprisonment not exceeding 10 years.

(c) (1) If a person makes an oath or affirmation to two contradictory statements, each of which, if false, is prohibited by subsection (a) of this section, it is sufficient [for purposes of indictment] to allege, and for conviction to prove, that one of the statements is willfully false without specifying which one.

(2) IF THE TWO CONTRADICTORY STATEMENTS MADE IN VIOLATION OF PARAGRAPH (1) OF THIS SUBSECTION ARE MADE IN DIFFERENT COUNTIES, THE VIOLATION MAY BE PROSECUTED IN EITHER COUNTY.

(d) A person who violates this section is subject to § 5-106(b) of the Courts Article.