

**CHAPTER 140**

**(House Bill 265)**

AN ACT concerning

**Criminal Law – Wiretap and Electronic Surveillance**

FOR the purpose of providing that a law enforcement officer may intercept an oral communication in the course of the officer's regular duty under certain conditions; specifying the conditions; and generally relating to the lawful interception of oral communications by law enforcement officers.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 10-402(a) and (b)

Annotated Code of Maryland

(1989 Replacement Volume and 1991 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10-402(c)

Annotated Code of Maryland

(1989 Replacement Volume and 1991 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**

10-402.

(a) Except as otherwise specifically provided in this subtitle it is unlawful for any person to:

(1) Wilfully intercept, endeavor to intercept, or procure any other person to intercept or endeavor to intercept, any wire, oral, or electronic communication;

(2) Wilfully disclose, or endeavor to disclose, to any other person the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subtitle; or

(3) Wilfully use, or endeavor to use, the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subtitle.