

~~alleged offenses against child victims to be admitted in certain court proceedings under certain circumstances if the court finds that the time, content, and circumstances of the statements provide sufficient indicia of reliability; and generally relating to the use of certain out of court statements concerning certain offenses in court proceedings.~~

FOR the purpose of allowing out of court statements concerning certain alleged offenses against a child victim under a certain age to be admitted in certain court proceedings if the statements were made to and are offered by certain persons a nurse; repealing a requirement that the out of court statements be made to and be offered by certain individuals who possess certain occupational licenses; authorizing certain individuals to offer the out of court statements if the individuals were lawfully acting in the course of their professions when the statements were made; repealing the right of an alleged offender to take the deposition of certain witnesses; defining a certain term; and generally relating to the admissibility use of out of court statements concerning certain alleged offenses in court proceedings.

BY repealing and reenacting, without amendments,

Article 27 - Crimes and Punishments

Section 775(a) and (c)

Annotated Code of Maryland

(1996 Replacement Volume and 1997 Supplement)

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments

Section ~~775~~ 775(a), (b), and (c) ~~775(b)~~

Annotated Code of Maryland

(1996 Replacement Volume and 1997 Supplement)

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

Article 27 - Crimes and Punishments

775.

(a) In this section "statement" means:

- (1) ~~An oral or written assertion; or~~
- (2) ~~Nonverbal conduct, if it is intended as an assertion, including sounds, gestures, demonstrations, drawings, or similar actions.~~

(b) (1) ~~Subject to [the provisions of paragraphs (2) and (3)]~~ PARAGRAPH (2) of this subsection, if a court finds that the requirements of subsection (c) of this section are satisfied, a court may admit into evidence in a juvenile court proceeding or in a criminal proceeding an out of court statement, to prove the truth of the matter asserted in the statement, made by a child victim under the age of 12 years, who is