

SECTION ~~4~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, ~~2010~~ 2008.

Approved by the Governor, May 13, 2008.

CHAPTER 360

(House Bill 6)

AN ACT concerning

Criminal Procedure – Custodial Interrogation – ~~Electronic~~ Recordation

FOR the purpose of establishing that it is the public policy of the State that ~~eustodial interrogations of criminal suspects be recorded whenever practicable; requiring that an electronic recording be made of certain custodial interrogations except under certain circumstances; establishing that the State shall bear the burden of proving, by a preponderance of the evidence, that a certain exception to the requirement to record a custodial interrogation is applicable; requiring the State to file a certain notice under certain circumstances; requiring the notice to contain certain information; requiring the recording of the making and signing of a certain writing under certain circumstances; requiring a court to make a certain finding under certain circumstances; exempting recordings made in accordance with this Act~~ certain law enforcement units shall make certain efforts to create a certain audiovisual recording under certain circumstances and certain law enforcement units shall make certain efforts to create a certain audio recording under certain circumstances; exempting certain recordings from certain provisions of law; defining ~~certain terms~~ a certain term; providing that requiring the Governor's Office of Crime Control and Prevention shall to work with State and local law enforcement agencies to ensure that the State secures certain funding and, develop a program to assist the agencies in funding compliance with this Act; providing for the application of this Act; providing for a delayed effective date; the establishment of certain interrogation rooms, and monitor and report during certain meetings on the progress of jurisdictions and the Department of State Police in establishing certain interrogation rooms; and generally relating to custodial interrogations of certain individuals.

BY adding to

Article – Criminal Procedure

Section ~~2-401 and 2-402~~ through 2-404 to be under the new subtitle “Subtitle

4. Custodial Interrogation”