E2 2lr3086

By: Delegates R. Jones and Williams

Introduced and read first time: February 17, 2022 Assigned to: Rules and Executive Nominations

## A BILL ENTITLED

-	A 3 T	A (177)	•
1	AN	ACT	concerning

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## Marriage - Confidential Communication - Criminal Charge

- FOR the purpose of establishing that a spouse is competent to disclose a certain confidential communication in a criminal action in which one spouse is charged with a crime against the other spouse; and generally relating to confidential communications occurring during marriage.
- 7 BY repealing and reenacting, with amendments,
- 8 Article Courts and Judicial Proceedings
- 9 Section 9–105
- 10 Annotated Code of Maryland
- 11 (2020 Replacement Volume and 2021 Supplement)
- 12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 13 That the Laws of Maryland read as follows:

## 14 Article – Courts and Judicial Proceedings

- 15 9–105.
- 16 (A) [One] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, ONE spouse is not competent to disclose any confidential communication between the spouses
- 18 occurring during their marriage.
- 19 (B) A SPOUSE IS COMPETENT TO DISCLOSE A CONFIDENTIAL
- 20 COMMUNICATION BETWEEN SPOUSES OCCURRING DURING THEIR MARRIAGE IN A
- 21  $\,$  CRIMINAL ACTION IN WHICH ONE SPOUSE IS CHARGED WITH A CRIME AGAINST THE
- 22 OTHER SPOUSE.

- $\begin{array}{c} 1 \\ 2 \end{array}$ SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- October 1, 2022.