

# HOUSE BILL 746

E2  
HB 1109/13 – JUD

4lr2544

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By: **Delegates Carter, Anderson, Oaks, and Smigiel**  
Introduced and read first time: February 3, 2014  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Defendants Held on No–Bail Status – Comprehensive**  
3 **Evidence–Based Risk Assessment**

4 FOR the purpose of providing that in a case that does not involve a charge of a certain  
5 crime of violence, if a court orders a defendant to be held on no–bail status, the  
6 applicable pretrial services unit shall immediately perform a certain risk  
7 assessment to make a certain determination; providing that on completion of a  
8 certain risk assessment, the court shall immediately conduct a certain hearing  
9 to review the no–bail status in light of the results of the risk assessment; and  
10 generally relating to defendants held on no–bail status.

11 BY adding to  
12 Article – Criminal Procedure  
13 Section 5–103  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2013 Supplement)

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

18 **Article – Criminal Procedure**

19 **5–103.**

20 **(A) IN A CASE THAT DOES NOT INVOLVE A CHARGE OF A CRIME OF**  
21 **VIOLENCE AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, IF A**  
22 **COURT ORDERS A DEFENDANT TO BE HELD ON NO–BAIL STATUS, THE**  
23 **APPLICABLE PRETRIAL SERVICES UNIT SHALL IMMEDIATELY PERFORM A**  
24 **COMPREHENSIVE EVIDENCE–BASED RISK ASSESSMENT OF THE DEFENDANT TO**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1 DETERMINE THE LIKELIHOOD THAT THE DEFENDANT WILL FLEE OR POSE A  
2 DANGER TO ANOTHER PERSON OR THE COMMUNITY.

3 (B) ON COMPLETION OF THE RISK ASSESSMENT, THE COURT SHALL  
4 IMMEDIATELY CONDUCT A HEARING TO REVIEW THE NO-BAIL STATUS IN LIGHT  
5 OF THE RESULTS OF THE RISK ASSESSMENT.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2014.