

Chapter 506

(House Bill 1268)

AN ACT concerning

Calvert County – Pretrial Release Program – Nonviolent Felon

FOR the purpose of repealing a provision of law that prohibits an individual in detention for or previously convicted of a felony that is not a crime of violence from being eligible for a certain pretrial release program in Calvert County; providing that an individual in detention for or previously convicted of a certain crime is not eligible for a certain program; and generally relating to the Calvert County pretrial release program.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–706(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

Article – Correctional Services

11–706.

(e) (1) The Sheriff may:

(i) establish a pretrial release program that offers alternatives to pretrial detention; and

(ii) adopt regulations to administer the program.

(2) A court may order an individual to participate in the pretrial release program if the individual:

(i) appears before the court after being charged and detained on bond; and

(ii) meets the eligibility requirements of paragraph (4) of this subsection.

(3) The court may make the order at the imposition of bond, on review of bond, or any other time during the individual’s pretrial detention.

(4) An individual is eligible for the pretrial release program if the individual:

(i) is recommended to the court for placement in the program by the program staff;

(ii) has no other charges for a felony or a violation of a crime of violence as defined in § 14–101 of the Criminal Law Article pending in any jurisdiction; and

(iii) is not in detention for or been previously convicted of:

1. a crime of violence listed in § 14–101 of the Criminal Law Article;

2. [a felony; or

3.] the crime of escape under § 9–404 of the Criminal Law Article; OR

3. A CRIME UNDER ~~§§ 5–612, 5–613, OR 5–614~~ § 5–612, § 5–613, OR § 5–614 OF THE CRIMINAL LAW ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved by the Governor, May 10, 2016.