

# HOUSE BILL 1409

E2, D3  
HB 1327/16 – JUD

7lr2505

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By: **Delegates Glass, Atterbeary, Moon, and Sanchez**

Introduced and read first time: February 10, 2017

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Law Enforcement Officer as Witness – Prohibition on Postponement**  
3 **for Inability to Appear**

4 FOR the purpose of prohibiting a court from postponing a trial or hearing for a certain  
5 violation of the Maryland Vehicle Law, except under certain circumstances; and  
6 generally relating to the postponement of certain trials and hearings.

7 BY adding to

8 Article – Courts and Judicial Proceedings

9 Section 9–206

10 Annotated Code of Maryland

11 (2013 Replacement Volume and 2016 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 **9–206.**

16 **IN A TRIAL OR HEARING FOR A MISDEMEANOR VIOLATION OF THE MARYLAND**  
17 **VEHICLE LAW FOR WHICH THE PENALTY IS A FINE NOT EXCEEDING \$500 IF A LAW**  
18 **ENFORCEMENT OFFICER IS A WITNESS, A COURT MAY NOT POSTPONE THE TRIAL OR**  
19 **HEARING BASED ON THE LAW ENFORCEMENT OFFICER’S INABILITY TO APPEAR ON**  
20 **THE DAY OF THE TRIAL OR HEARING UNLESS:**

21 **(1) THE LAW ENFORCEMENT OFFICER INFORMS THE COURT OF THE**  
22 **OFFICER’S INABILITY TO APPEAR AT LEAST 1 WEEK IN ADVANCE OF THE SCHEDULED**  
23 **TRIAL OR HEARING; AND**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(2) THE COURT PROMPTLY INFORMS THE PERSON CHARGED OF THE**  
2 **POSTPONEMENT.**

3           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2017.