

HOUSE BILL 388

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8lr1284
CF SB 170

By: **Delegates A. Miller, Dumais, Anderson, Atterbeary, Cluster, Corderman, Gibson, Kittleman, J. Lewis, Malone, Moon, Morhaim, Mosby, Proctor, Queen, Sanchez, Sydnor, and Valentino-Smith**

Introduced and read first time: January 24, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Violation of Conditions of Release**

3 FOR the purpose of expanding the list of charges to which a certain prohibition against
4 violating a certain condition of pretrial or posttrial release is applicable; and
5 generally relating to pretrial and posttrial release.

6 BY repealing and reenacting, with amendments,

7 Article – Criminal Procedure

8 Section 5–213.1

9 Annotated Code of Maryland

10 (2008 Replacement Volume and 2017 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

12 That the Laws of Maryland read as follows:

13 **Article – Criminal Procedure**

14 5–213.1.

15 (a) A person [charged with committing a violation of Title 3, Subtitle 3 of the
16 Criminal Law Article against a victim who is a minor] may not violate a condition of pretrial
17 or posttrial release prohibiting the person from contacting, harassing, or abusing [the] AN
18 alleged victim or going in or near [the] AN alleged victim’s residence or place of employment
19 **IF THE PERSON IS CHARGED WITH COMMITTING:**

20 **(1) A VIOLATION OF TITLE 3, SUBTITLE 3 OF THE CRIMINAL LAW**
21 **ARTICLE AGAINST A VICTIM WHO IS A MINOR;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) A CRIME OF VIOLENCE AS DEFINED IN § 5–101 OF THE PUBLIC**
2 **SAFETY ARTICLE; OR**

3 **(3) A CRIME AGAINST A VICTIM WHO IS A PERSON ELIGIBLE FOR**
4 **RELIEF AS DEFINED IN § 4–501 OF THE FAMILY LAW ARTICLE.**

5 (b) A person who violates subsection (a) of this section is guilty of a misdemeanor
6 and on conviction is subject to imprisonment not exceeding 90 days.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2018.