

HOUSE BILL 441

E2

(2lr1972)

ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by **Delegate Clippinger**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~Criminal Procedure~~ **Baltimore City** – Pretrial Release of Defendant – Notice

3 FOR the purpose of requiring ~~a court and the Office of the State's Attorney~~ the Department
4 of Public Safety and Correctional Services to notify ~~a certain law enforcement agency~~
5 the Baltimore Police Department if a defendant ~~charged with certain crimes~~ is
6 released prior to trial; and generally relating to pretrial release procedures in
7 Baltimore City.

8 BY adding to

9 Article – Criminal Procedure

10 Section 5–105

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2021 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



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

3 **Article – Criminal Procedure**

4 **5–105.**

5 (A) ~~THIS SECTION APPLIES ONLY TO A DEFENDANT WHO IS CHARGED WITH:~~

6 ~~(1) MURDER IN THE FIRST DEGREE;~~

7 ~~(2) MURDER IN THE SECOND DEGREE;~~

8 ~~(3) ATTEMPTED MURDER IN THE FIRST DEGREE;~~

9 ~~(4) ATTEMPTED MURDER IN THE SECOND DEGREE;~~

10 ~~(5) ROBBERY WITH A DANGEROUS WEAPON; OR~~

11 ~~(6) ARMED CARJACKING IN BALTIMORE CITY.~~

12 (B) IF A DEFENDANT IS RELEASED BEFORE TRIAL, THE ~~COURT AND THE~~
13 ~~OFFICE OF THE STATE’S ATTORNEY~~ DEPARTMENT OF PUBLIC SAFETY AND
14 CORRECTIONAL SERVICES SHALL PROVIDE NOTICE WITHIN ~~48~~ 24 HOURS OF THE
15 RELEASE TO THE ~~LAW ENFORCEMENT AGENCY THAT ARRESTED THE DEFENDANT~~
16 BALTIMORE POLICE DEPARTMENT.

17 (C) NOTICE PROVIDED UNDER THIS SECTION SHALL BE PROVIDED IN A
18 MANNER THAT ALLOWS THE SORTING AND FILTERING OF THE INFORMATION
19 PROVIDED BY THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL
20 SERVICES.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2022.