

HOUSE BILL 441

E2

2lr1972
CF SB 586

By: **Delegate Clippinger**

Introduced and read first time: January 20, 2022

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2022

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)

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

15 **Article – Criminal Procedure**

16 **5–105.**

17 (A) **THIS SECTION APPLIES ONLY TO A DEFENDANT WHO IS CHARGED WITH:**

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

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.



- 1 ~~(2) MURDER IN THE SECOND DEGREE;~~
- 2 ~~(3) ATTEMPTED MURDER IN THE FIRST DEGREE;~~
- 3 ~~(4) ATTEMPTED MURDER IN THE SECOND DEGREE;~~
- 4 ~~(5) ROBBERY WITH A DANGEROUS WEAPON; OR~~
- 5 ~~(6) ARMED CARJACKING IN BALTIMORE CITY.~~

6 (B) IF A DEFENDANT IS RELEASED BEFORE TRIAL, THE ~~COURT AND THE~~
 7 ~~OFFICE OF THE STATE’S ATTORNEY~~ DEPARTMENT OF PUBLIC SAFETY AND
 8 CORRECTIONAL SERVICES SHALL PROVIDE NOTICE WITHIN 48 HOURS OF THE
 9 RELEASE TO THE ~~LAW ENFORCEMENT AGENCY THAT ARRESTED THE DEFENDANT~~
 10 BALTIMORE POLICE DEPARTMENT.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.