

# HOUSE BILL 1356

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5lr2915

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By: **Delegates Reilly, Arentz, Arikan, Chisholm, Griffith, Hutchinson, Mangione,  
Miller, T. Morgan, Nawrocki, Otto, Pippy, and Rose**

Introduced and read first time: February 7, 2025

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Pretrial Release – Bail**

3 FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial  
4 release of a defendant on personal recognizance or unsecured bail under certain  
5 circumstances; authorizing a judge to authorize the pretrial release of a certain  
6 defendant on secured bail and certain conditions; and generally relating to pretrial  
7 release and bail.

8 BY adding to

9 Article – Criminal Procedure

10 Section 5–202(h)

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2024 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 5–202.

17 **(H) (1) A DISTRICT COURT COMMISSIONER MAY NOT AUTHORIZE THE**  
18 **PRETRIAL RELEASE OF A DEFENDANT ON PERSONAL RECOGNIZANCE OR**  
19 **UNSECURED BAIL IF THE DEFENDANT HAS PREVIOUSLY:**

20 **(I) BEEN CHARGED WITH COMMITTING A CRIME FOR WHICH**  
21 **THE DEFENDANT WAS RELEASED ON UNSECURED BAIL WITHIN THE PREVIOUS 5**  
22 **YEARS; OR**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(II) FAILED TO APPEAR IN COURT AS REQUIRED WHILE**  
2 **RELEASED ON UNSECURED BAIL.**

3                   **(2) A JUDGE MAY AUTHORIZE THE PRETRIAL RELEASE OF A**  
4 **DEFENDANT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION ON:**

5                   **(I) SECURED BAIL; AND**

6                   **(II) ANY OTHER CONDITIONS THAT WILL REASONABLY ENSURE**  
7 **THAT THE DEFENDANT WILL NOT FLEE OR POSE A DANGER TO ANOTHER PERSON OR**  
8 **THE COMMUNITY.**

9                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2025.