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**By: Delegates R. Baker and Muse**

Requested: November 14, 1995

Introduced and read first time: January 10, 1996

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Pretrial Release Orders - Revocation or Amendment**

3 FOR the purpose of authorizing the court, on the motion of any party or on its own  
4 initiative, to revoke or amend an order of pretrial release; requiring the court, after  
5 a motion to revoke or amend is filed, to issue a body attachment and order a hearing  
6 to be held the day after the body attachment is served on the defendant; requiring  
7 the court to state the reasons for its action in writing or on the record if the decision  
8 of the court results in the detention of the defendant; and generally relating to the  
9 revocation or amendment of orders of pretrial release.

10 BY adding to

11 Article 27 - Crimes and Punishments  
12 Section 616 1/2C  
13 Annotated Code of Maryland  
14 (1992 Replacement Volume and 1995 Supplement)

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

17 **Article 27 - Crimes and Punishments**

18 616 1/2C.

19 (A) AFTER A CHARGING DOCUMENT HAS BEEN FILED, THE COURT, ON  
20 MOTION OF ANY PARTY OR ON ITS OWN INITIATIVE, MAY REVOKE AN ORDER OF  
21 PRETRIAL RELEASE OR AMEND IT TO IMPOSE ADDITIONAL OR DIFFERENT  
22 CONDITIONS OF RELEASE.

23 (B) IMMEDIATELY AFTER A MOTION TO REVOKE AN ORDER OF PRETRIAL  
24 RELEASE IS FILED, THE COURT SHALL ISSUE A BODY ATTACHMENT AND ORDER A  
25 HEARING TO BE HELD THE DAY AFTER THE BODY ATTACHMENT IS SERVED ON THE  
26 DEFENDANT.

27 (C) IF ITS DECISION RESULTS IN THE DETENTION OF THE DEFENDANT, THE  
28 COURT SHALL STATE THE REASONS FOR ITS ACTION IN WRITING OR ON THE  
29 RECORD.

HOUSE BILL 83

2

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 1996.