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**By: Chairman, Judiciary Committee (Departmental - Secretary of State)**

Introduced and read first time: January 24, 1996

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Forfeited Recognizances - Remission**

3 FOR the purpose of providing that a defendant or surety applying for remission of a  
4 forfeited recognizance shall apply to a court and need not apply to the Governor;  
5 and generally relating to remission of forfeited recognizances.

6 BY repealing

7 Article 41 - Governor - Executive and Administrative Departments  
8 Section 2-401  
9 Annotated Code of Maryland  
10 (1993 Replacement Volume and 1995 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article 41 - Governor - Executive and Administrative Departments  
13 Section 2-402  
14 Annotated Code of Maryland  
15 (1993 Replacement Volume and 1995 Supplement)

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

18 **Article 41 - Governor - Executive and Administrative Departments**

19 [2-401.

20 The Governor may remit the whole or any part of any recognizance which may be  
21 forfeited; provided, the judge of the court in which such forfeiture took place shall  
22 recommend the remission of the whole or some part thereof.]

23 [2-402.] 2-401.

24 The Governor may remit the whole or any part of any fine or forfeiture. HOWEVER,  
25 A DEFENDANT OR SURETY APPLYING FOR THE REMISSION OF THE WHOLE OR ANY  
26 PART OF A RECOGNIZANCE WHICH HAS BEEN FORFEITED SHALL APPLY TO A COURT  
27 TO ORDER THE REMISSION IN ACCORDANCE WITH TITLE 4 OF THE MARYLAND  
28 RULES, AND NEED NOT APPLY TO THE GOVERNOR TO ORDER THE REMISSION.

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