
By: **Delegates Vallario, Rawlings, Franchot, Rosenberg, and Palumbo**
Introduced and read first time: February 13, 1998
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Courts - Jurisdiction**

3 FOR the purpose of establishing that the circuit courts have jurisdiction in all
4 criminal cases to determine certain matters; establishing that the jurisdiction of
5 the District Court is concurrent with the circuit courts in certain criminal cases
6 involving certain matters; and generally relating to the jurisdiction of the circuit
7 courts and the District Court in criminal cases.

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 1-501
11 Annotated Code of Maryland
12 (1995 Replacement Volume and 1997 Supplement)

13 BY adding to
14 Article - Courts and Judicial Proceedings
15 Section 4-302(g)
16 Annotated Code of Maryland
17 (1995 Replacement Volume and 1997 Supplement)

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

20 **Article - Courts and Judicial Proceedings**

21 1-501.

22 (A) The circuit courts are the highest common-law and equity courts of record
23 exercising original jurisdiction within the State. Each has full common-law and
24 equity powers and jurisdiction in all civil and criminal cases within its county, and all
25 the additional powers and jurisdiction conferred by the Constitution and by law,
26 except where by law jurisdiction has been limited or conferred exclusively upon
27 another tribunal.

1 (B) NOTWITHSTANDING ANY LAW OR RULE TO THE CONTRARY, IN ALL
2 CRIMINAL CASES THE CIRCUIT COURTS HAVE THE POWER AND JURISDICTION OVER
3 THE FOLLOWING MATTERS:

4 (1) DETERMINATION OF ELIGIBILITY FOR AND ESTABLISHMENT OF
5 CONDITIONS OF PRETRIAL RELEASE OF A PERSON CHARGED WITH A CRIME;

6 (2) REVIEW OF:

7 (I) A COMMISSIONER'S DENIAL OF PRETRIAL RELEASE; AND

8 (II) THE CONDITIONS OF PRETRIAL RELEASE FOR PERSONS
9 REMAINING IN CUSTODY FOR 24 HOURS;

10 (3) ACCEPTANCE OF A GUILTY PLEA AND IMPOSITION OF A SENTENCE
11 FOLLOWING ACCEPTANCE OF A GUILTY PLEA; AND

12 (4) ACCEPTANCE OF A PRAYER FOR JURY TRIAL.

13 4-302.

14 (G) IN CRIMINAL CASES WITHIN THE EXCLUSIVE ORIGINAL JURISDICTION OF
15 THE DISTRICT COURT, THE JURISDICTION OF THE DISTRICT COURT IS CONCURRENT
16 WITH A CIRCUIT COURT IN THE MANNER PROVIDED IN § 1-501(B) OF THIS ARTICLE.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1998.