

SENATE BILL 22

Unofficial Copy  
E2

2001 Regular Session  
(11r0688)

**ENROLLED BILL**  
-- Judicial Proceedings/Judiciary --

Introduced by **Senator Baker**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Criminal Procedure - Circuit Courts - Time for Trial**

3 FOR the purpose of establishing in a criminal case in a circuit court that if a certain  
4 trial date is changed that any subsequent change of the trial date may only be  
5 made by certain judges for good cause shown under certain circumstances; and  
6 generally relating to the time for trials of criminal cases in the circuit courts.

7 ~~BY repealing and reenacting, with amendments,~~  
8 ~~Article 27 - Crimes and Punishments~~  
9 ~~Section 591~~  
10 ~~Annotated Code of Maryland~~  
11 ~~(1996 Replacement Volume and 2000 Supplement)~~

12 BY repealing and reenacting, with amendments,  
13 Article - Criminal Procedure  
14 Section 6-103

1 Annotated Code of Maryland  
 2 (As enacted by Chapter \_\_\_\_\_ (S.B. 1) of the Acts of the General Assembly of 2001)

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

5 **Article 27 – Crimes and Punishments**

6 ~~591.~~

7 (a) ~~The date for trial of a criminal matter in a circuit court:~~

8 (1) ~~Shall be set within 30 days after the earlier of:~~

9 (i) ~~The appearance of counsel; or~~

10 (ii) ~~The first appearance of the defendant before the circuit court,~~  
 11 ~~as provided in the Maryland Rules; and~~

12 (2) ~~May not be later than 180 days after the earlier of those events.~~

13 (b) (1) ~~On motion of a party or on the court's initiative and for good cause~~  
 14 ~~shown, a county administrative judge or a designee of that judge may grant a change~~  
 15 ~~of the circuit court trial date.~~

16 (2) ~~IF A CIRCUIT COURT TRIAL DATE IS CHANGED UNDER PARAGRAPH (1)~~  
 17 ~~OF THIS SUBSECTION, ANY SUBSEQUENT CHANGES OF THE TRIAL DATE MAY ONLY~~  
 18 ~~BE MADE BY THE COUNTY ADMINISTRATIVE JUDGE OR THAT JUDGE'S DESIGNEE FOR~~  
 19 ~~GOOD CAUSE SHOWN.~~

20 (c) ~~The Court of Appeals may adopt additional rules of practice and procedure~~  
 21 ~~for the implementation of this section in circuit courts.~~

22 **Article - Criminal Procedure**

23 ~~16-103; 6-103.~~

24 (a) (1) The date for trial of a criminal matter in the circuit court shall be set  
 25 within 30 days after the earlier of:

26 (i) the appearance of counsel; or

27 (ii) the first appearance of the defendant before the circuit court, as  
 28 provided in the Maryland Rules.

29 (2) The trial date may not be later than 180 days after the earlier of  
 30 those events.

31 (b) (1) For good cause shown, the administrative judge of a county or a  
 32 designee of the judge may grant a change of the trial date in a circuit court;

1            ~~[(1)]~~    (I)        on motion of a party; or

2            ~~[(2)]~~    (II)       on the initiative of the circuit court.

3            (2)        IF A CIRCUIT COURT TRIAL DATE IS CHANGED UNDER PARAGRAPH (1)  
4 OF THIS SUBSECTION, ANY SUBSEQUENT CHANGES OF THE TRIAL DATE MAY ONLY  
5 BE MADE BY THE COUNTY ADMINISTRATIVE JUDGE OR THAT JUDGE'S DESIGNEE FOR  
6 GOOD CAUSE SHOWN.

7            (c)        The Court of Appeals may adopt additional rules to carry out this section.

8            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2001.