

(PRE-FILED)

By: **Delegate Hutchins**
Requested: September 18, 2001
Introduced and read first time: January 9, 2002
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Postconviction Release - Prohibitions and**
3 **Requirements**

4 FOR the purpose of prohibiting a court from releasing a defendant convicted of
5 certain crimes pending sentencing or exhaustion of appellate review under
6 certain circumstances; requiring a defendant who has been convicted of certain
7 crimes to be taken into and remain in custody pending sentencing or exhaustion
8 of appellate review under certain circumstances; and generally relating to
9 postconviction procedures.

10 BY adding to
11 Article - Criminal Procedure
12 Section 6-107
13 Annotated Code of Maryland
14 (2001 Volume)

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

17 **Article - Criminal Procedure**

18 6-107.

19 NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, AFTER CONVICTION
20 OF A DEFENDANT FOR A FELONY FOR WHICH THE MAXIMUM LENGTH OF
21 IMPRISONMENT IS 10 YEARS OR MORE:

22 (1) A COURT MAY NOT RELEASE THE DEFENDANT PENDING
23 SENTENCING OR EXHAUSTION OF APPELLATE REVIEW; AND

24 (2) THE DEFENDANT SHALL BE TAKEN INTO AND REMAIN IN CUSTODY
25 PENDING SENTENCING OR EXHAUSTION OF APPELLATE REVIEW.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2002.

