Unofficial Copy E2 2002 Regular Session 2lr2840

By: **Delegate Burns**Rules suspended

Introduced and read first time: March 5, 2002 Assigned to: Rules and Executive Nominations

A BILL ENTITLED

	ΔN	$\Delta ($	concerning
1	7 77 4	1101	Concerning

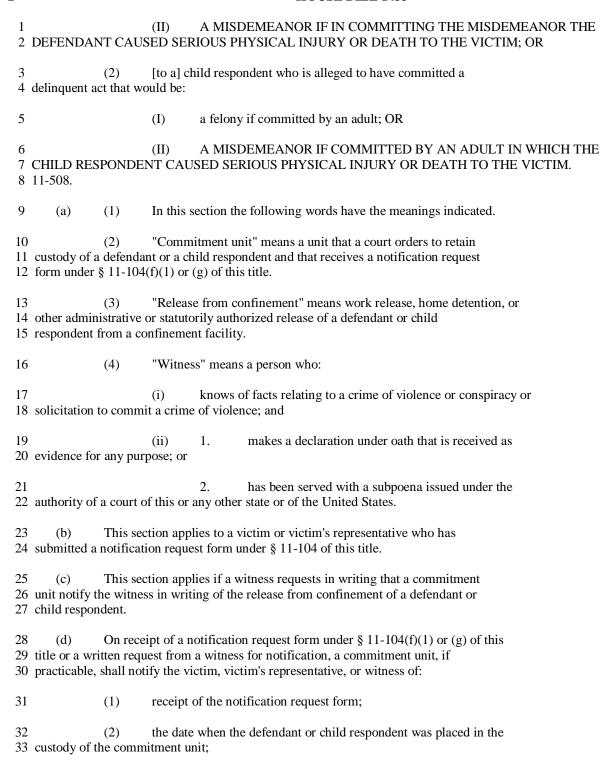
2	Crimina	l Procedure -	Postsentencing 1	Proceeding -	Victim	Notification
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- 3 FOR the purpose of establishing victim, victim's representative, and witness
- 4 notification procedures for subsequent postsentencing proceedings in certain
- 5 cases where the defendant committed a misdemeanor or the child respondent
- 6 committed a delinquent act that would be a misdemeanor if committed by an
- adult which caused serious physical injury or death to the victim; and generally
- 8 relating to victim notification in postsentencing proceedings.
- 9 BY repealing and reenacting, with amendments,
- 10 Article Criminal Procedure
- 11 Section 11-502
- 12 Annotated Code of Maryland
- 13 (2001 Volume)
- 14 BY repealing and reenacting, without amendments,
- 15 Article Criminal Procedure
- 16 Section 11-508
- 17 Annotated Code of Maryland
- 18 (2001 Volume)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 20 MARYLAND, That the Laws of Maryland read as follows:

21 Article - Criminal Procedure

- 22 11-502.
- This subtitle applies only to a:
- 24 (1) defendant who is charged with:
- 25 (I) a felony; or

HOUSE BILL 1433



HOUSE BILL 1433

- 1 (3) how to change the address to receive notice for the victim, victim's 2 representative, witness, or the person to receive notice for the victim; and 3 (4) how to elect not to receive future notices. 4 The commitment unit shall notify a victim, victim's representative, or 5 witness, in advance if practicable, if any of the following events occur concerning the 6 defendant or child respondent: 7 (1) an escape; 8 a recapture; (2) 9 (3) a transfer to another commitment unit; 10 (4) a release from confinement and any conditions attached to the 11 release; and 12 (5) the death of the defendant or child respondent. 13 A commitment unit may not disclose to a defendant or child respondent the
- 14 address or telephone number of a witness, victim, victim's representative, or person
- 15 who receives notice for the victim.
- An elected public official, public employee, or public unit has the immunity 16 (g)
- 17 described in §§ 5-302 and 5-522 of the Courts Article regarding civil liability for
- 18 damages arising out of an action relating to this section, unless the official, employee,
- 19 or unit acts with gross negligence or in bad faith.
- 20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 21 October 1, 2002.