BY: Judicial Proceedings Committee

<u>AMENDMENTS TO SENATE BILL NO. 490</u>
(First Reading File Bill)

<u>AMENDMENT NO. 1</u>

On page 1, in the sponsor line, strike "and DeGrange" and substitute "<u>DeGrange, and Frosh</u>"; in line 2, strike "State's Right of Appeal" and substitute "<u>Release of Defendant Charged with Crime of Violence Pending Appeal by the State</u>"; strike beginning with "repealing" in line 3 down through "State" in line 8 and substitute "<u>creating a certain exception to the provision of law that requires that a certain defendant be released on personal recognizance bail pending the outcome of a certain appeal by the State; providing that a court may release a certain defendant on certain terms and conditions or may order the defendant remanded to custody pending the outcome of a certain appeal by the State; requiring that the determination and enforcement of certain conditions of release be made in accordance with certain statutory provisions</u>"; and in line 9, strike "the State's right of appeal" and substitute "<u>release of a criminal defendant pending the outcome of an appeal by the State</u>".

<u>AMENDMENT NO. 2</u>

On page 2, in line 18, strike the bracket; in line 23, strike the bracket and substitute "<u>1.</u>"; in the same line, strike "Pending" and substitute "<u>EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, PENDING</u>"; in line 24, strike the brackets; after line 27, insert:

"<u>2.   A.   PENDING   THE   PROSECUTION   AND DETERMINATION OF AN APPEAL TAKEN UNDER PARAGRAPH (1) OR (3) OF THIS SUBSECTION, IN A CASE IN WHICH THE DEFENDANT IS CHARGED WITH A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, THE COURT MAY RELEASE THE DEFENDANT ON ANY TERMS AND CONDITIONS THAT THE COURT CONSIDERS APPROPRIATE OR MAY ORDER THE DEFENDANT REMANDED TO CUSTODY PENDING THE OUTCOME OF THE APPEAL.</u>

                              B.   THE DETERMINATION AND ENFORCEMENT OF ANY
TERMS AND CONDITIONS OF RELEASE SHALL BE IN ACCORDANCE WITH THE
PROVISIONS OF TITLE 5 OF THE CRIMINAL PROCEDURE ARTICLE.";

in line 28, strike the brackets; and in the same line, strike "(V)".