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By: Delegates Anderson, Carter, C. Davis, Fulton, Goodwin, Kelly, Oaks,

By: Delegates Anderson, Carter, C. Davis, Fulton, Goodwin, Kelly, Oaks, and Zirkin

Introduced and read first time: February 13, 2004

Assigned to: Judiciary

## A BILL ENTITLED

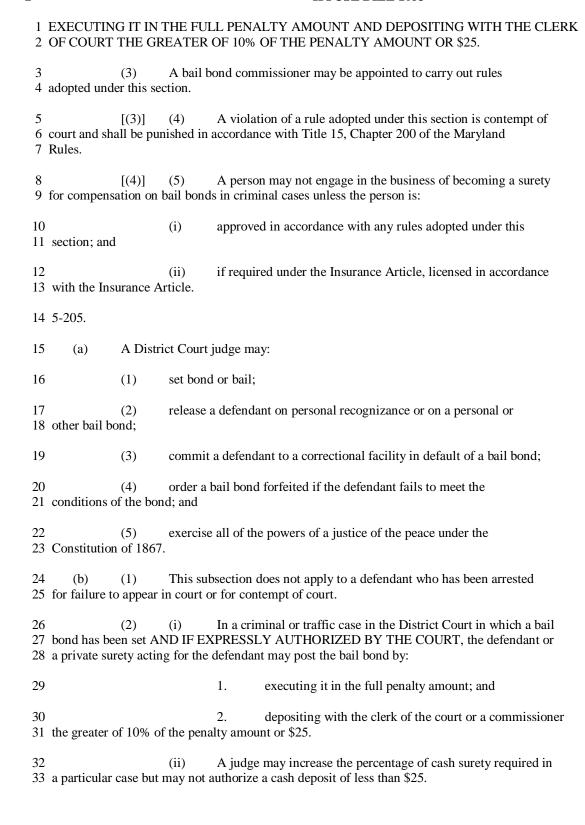
## 1 AN ACT concerning

## 2 Criminal Procedure - Posting of Bail Bonds - Authorization

- 3 FOR the purpose of requiring express authorization by a court before a defendant or
- 4 surety may post a bail bond by executing the bond in the full penalty amount
- and depositing a certain amount with a court clerk or District Court
- 6 Commissioner; and generally relating to bail bonds in circuit court and the
- 7 District Court.
- 8 BY repealing and reenacting, with amendments,
- 9 Article Criminal Procedure
- 10 Section 5-203(a) and 5-205(b)
- 11 Annotated Code of Maryland
- 12 (2001 Volume and 2003 Supplement)
- 13 BY repealing and reenacting, without amendments,
- 14 Article Criminal Procedure
- 15 Section 5-205(a)
- 16 Annotated Code of Maryland
- 17 (2001 Volume and 2003 Supplement)
- 18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 19 MARYLAND, That the Laws of Maryland read as follows:

## 20 Article - Criminal Procedure

- 21 5-203.
- 22 (a) (1) [A] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A circuit
- 23 court may adopt rules setting the terms and conditions of bail bonds filed in that
- 24 court and rules on the qualifications of and fees charged by bail bondsmen.
- 25 (2) IF EXPRESSLY AUTHORIZED BY THE COURT, A DEFENDANT OR A
- 26 PRIVATE SURETY ACTING FOR THE DEFENDANT MAY POST A BAIL BOND BY



- 1 (3) On depositing the amount required under paragraph (2) of this 2 subsection and executing the recognizance, the defendant shall be released from 3 custody subject to the conditions of the bail bond.

- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 4
- 5 October 1, 2004.