

HOUSE BILL 337

E2

(7lr1180)

ENROLLED BILL

— Judiciary/Judicial Proceedings —

Introduced by ~~Cecil County Delegation~~ Delegate Smigiel

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.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~Cecil County Criminal Procedure - Pretrial Release - Use of Technology to~~
3 ~~Facilitate Pretrial Release Process~~ Posting of Bond Without Appearance of
4 Defendant

5 FOR the purpose of allowing ~~the use of video conferencing technology to facilitate the~~
6 ~~pretrial release process~~ a defendant to post bond by means of electronic
7 transmission or hand delivery of certain documentation without appearing
8 before the commissioner or judge under certain circumstances if authorized by
9 the County Administrative Judge or the ~~District Administrative Judge;~~
10 ~~requiring certain documents to be delivered to the appropriate court~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 ~~immediately after a certain proceeding~~ Chief Judge of the District Court; and
 2 generally relating to the pretrial release process.

3 BY adding to
 4 Article – Criminal Procedure
 5 Section 5–214
 6 Annotated Code of Maryland
 7 (2001 Volume and 2006 Supplement)

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

10 **Article – Criminal Procedure**

11 **5–214.**

12 ~~(A) THIS SECTION APPLIES ONLY IN CECIL COUNTY.~~

13 ~~(B) VIDEO CONFERENCING PROCEDURES AND TECHNOLOGY MAY BE~~
 14 ~~USED TO FACILITATE THE PRETRIAL RELEASE PROCESS~~ **AFTER**
 15 **NOTWITHSTANDING MARYLAND RULE 4-217(G), AFTER A DEFENDANT HAS**
 16 **APPEARED IN PERSON BEFORE THE COMMISSIONER OR JUDGE IN A CASE, THE**
 17 **DEFENDANT MAY POST BOND BY MEANS OF ELECTRONIC TRANSMISSION OR**
 18 **HAND DELIVERY OF THE RELEVANT DOCUMENTATION WITHOUT APPEARING**
 19 **BEFORE THE COMMISSIONER OR JUDGE, IF AUTHORIZED BY:**

20 (1) IN THE CIRCUIT COURT, THE COUNTY ADMINISTRATIVE
 21 JUDGE; AND

22 (2) IN THE DISTRICT ~~COUNT~~ COURT, THE ~~DISTRICT~~
 23 ~~ADMINISTRATIVE JUDGE~~ **CHIEF JUDGE OF THE DISTRICT COURT.**

24 ~~(C) IMMEDIATELY AFTER A PROCEEDING CONDUCTED THROUGH VIDEO~~
 25 ~~CONFERENCING, ALL DOCUMENTS THAT ARE NOT A PART OF THE COURT FILE~~
 26 ~~AND THAT WOULD BE A PART OF THE FILE IF THE PROCEEDING HAD BEEN~~
 27 ~~CONDUCTED AT THE COURT SHALL BE ELECTRONICALLY TRANSMITTED OR~~
 28 ~~HAND DELIVERED TO THE APPROPRIATE COURT.~~

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 30 October 1, 2007.