

HOUSE BILL 337

E2

7lr1180

By: ~~Cecil County Delegation~~ **Delegate Smigiel**

Introduced and read first time: February 1, 2007

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2007

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

13 BY adding to
14 Article - Criminal Procedure
15 Section 5-214
16 Annotated Code of Maryland
17 (2001 Volume and 2006 Supplement)

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

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.



1 Article - Criminal Procedure

2 5-214.

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

4 ~~(B) VIDEO CONFERENCING PROCEDURES AND TECHNOLOGY MAY BE~~
5 ~~USED TO FACILITATE THE PRETRIAL RELEASE PROCESS AFTER A DEFENDANT~~
6 ~~HAS APPEARED IN PERSON BEFORE THE COMMISSIONER OR JUDGE IN A CASE,~~
7 ~~THE DEFENDANT MAY POST BOND BY MEANS OF ELECTRONIC TRANSMISSION OR~~
8 ~~HAND DELIVERY OF THE RELEVANT DOCUMENTATION WITHOUT APPEARING~~
9 ~~BEFORE THE COMMISSIONER OR JUDGE, IF AUTHORIZED BY:~~

10 (1) IN THE CIRCUIT COURT, THE COUNTY ADMINISTRATIVE
11 JUDGE; AND

12 (2) IN THE DISTRICT ~~COUNT~~ COURT, THE ~~DISTRICT~~
13 ~~ADMINISTRATIVE JUDGE~~ CHIEF JUDGE OF THE DISTRICT COURT.

14 ~~(C) IMMEDIATELY AFTER A PROCEEDING CONDUCTED THROUGH VIDEO~~
15 ~~CONFERENCING, ALL DOCUMENTS THAT ARE NOT A PART OF THE COURT FILE~~
16 ~~AND THAT WOULD BE A PART OF THE FILE IF THE PROCEEDING HAD BEEN~~
17 ~~CONDUCTED AT THE COURT SHALL BE ELECTRONICALLY TRANSMITTED OR~~
18 ~~HAND DELIVERED TO THE APPROPRIATE COURT.~~

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.