

# HOUSE BILL 325

E2  
HB 1516/16 – HRU

7lr2340

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By: **Delegate Anderson**

Introduced and read first time: January 25, 2017

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Pretrial Release – Presentment**

3 FOR the purpose of authorizing a certain defendant who is denied pretrial release by a  
4 District Court commissioner or who remains in custody under certain circumstances  
5 to waive a certain presentment before a District Court judge; requiring a certain  
6 presentment to be immediate under certain circumstances; and generally relating to  
7 pretrial release.

8 BY repealing and reenacting, with amendments,  
9 Article – Criminal Procedure  
10 Section 5–215  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2016 Supplement)

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

15 **Article – Criminal Procedure**

16 5–215.

17 (A) A defendant who is denied pretrial release by a District Court commissioner  
18 or who for any reason remains in custody after a District Court commissioner has  
19 determined conditions of release under Maryland Rule 4–216 shall be presented to a  
20 District Court judge [immediately] **UNLESS PRESENTMENT IS WAIVED BY THE**  
21 **DEFENDANT.**

22 (B) **PRESENTMENT UNDER SUBSECTION (A) OF THIS SECTION SHALL BE**  
23 **IMMEDIATE** if the Court is in session, or if the Court is not in session, at the next session  
24 of the Court.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2017.