

## Chapter 369

**(House Bill 918)**

AN ACT concerning

**Criminal Procedure – Office of the Public Defender – Definition of Serious Offense**

FOR the purpose of altering a certain definition of “serious offense” to remove a certain limitation on offenses that are included for purposes relating to representation by the Office of the Public Defender; and generally relating to the Office of the Public Defender.

BY repealing and reenacting, without amendments,  
 Article – Criminal Procedure  
 Section 16–101(a) and 16–204(b)(1)(i)  
 Annotated Code of Maryland  
 (2018 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,  
 Article – Criminal Procedure  
 Section 16–101(h)  
 Annotated Code of Maryland  
 (2018 Replacement Volume and 2019 Supplement)

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

**Article – Criminal Procedure**

16–101.

- (a) In this title the following words have the meanings indicated.
- (h) “Serious offense” means:
- (1) a felony;
  - (2) a misdemeanor or offense punishable by confinement [for more than 3 months or a fine of more than \$500];
  - (3) a delinquent act that would be a serious offense if committed by an adult; or
  - (4) an offense in which, in the opinion of the court, the complexity of the

matter or the youth, inexperience, or mental capacity of the accused requires representation of the accused by an attorney.

16-204.

(b) (1) Indigent defendants or parties shall be provided representation under this title in:

(i) a criminal or juvenile proceeding in which a defendant or party is alleged to have committed a serious offense;

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.**