

Chapter 520

(House Bill 441)

AN ACT concerning

Criminal Procedure Baltimore City – Pretrial Release of Defendant – Notice

FOR the purpose of requiring ~~a court and the Office of the State’s Attorney~~ the Department of Public Safety and Correctional Services to notify ~~a certain law enforcement agency~~ the Baltimore Police Department if a defendant ~~charged with certain crimes~~ is released prior to trial; and generally relating to pretrial release procedures in Baltimore City.

BY adding to
Article – Criminal Procedure
Section 5–105
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Criminal Procedure

5–105.

(A) ~~THIS SECTION APPLIES ONLY TO A DEFENDANT WHO IS CHARGED WITH:~~

- ~~(1) MURDER IN THE FIRST DEGREE;~~
- ~~(2) MURDER IN THE SECOND DEGREE;~~
- ~~(3) ATTEMPTED MURDER IN THE FIRST DEGREE;~~
- ~~(4) ATTEMPTED MURDER IN THE SECOND DEGREE;~~
- ~~(5) ROBBERY WITH A DANGEROUS WEAPON; OR~~
- ~~(6) ARMED CARJACKING IN BALTIMORE CITY.~~

(B) ~~IF A DEFENDANT IS RELEASED BEFORE TRIAL, THE COURT AND THE OFFICE OF THE STATE’S ATTORNEY~~ DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL PROVIDE NOTICE WITHIN ~~48~~ 24 HOURS OF THE RELEASE TO THE ~~LAW ENFORCEMENT AGENCY THAT ARRESTED THE DEFENDANT~~ BALTIMORE POLICE DEPARTMENT.

(C) NOTICE PROVIDED UNDER THIS SECTION SHALL BE PROVIDED IN A MANNER THAT ALLOWS THE SORTING AND FILTERING OF THE INFORMATION PROVIDED BY THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.