

HOUSE BILL 411

E2

3lr2157
CF 3lr2427

By: **Delegates Embry, Addison, Attar, Bartlett, Boafo, Boyce, Edelson, Grammer, McCaskill, Taveras, Tomlinson, and Young**

Introduced and read first time: January 30, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Violation of Pretrial or Posttrial Condition by**
3 **Incarcerated Person – Victim Contact**

4 FOR the purpose of prohibiting a certain incarcerated person from violating a condition of
5 pretrial or posttrial release or other pretrial or posttrial condition prohibiting the
6 person from contacting, harassing, or abusing an alleged victim or going in or near
7 an alleged victim's residence or place of employment; and generally relating to
8 violations of pretrial and posttrial conditions.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Procedure
11 Section 5–213.1
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2022 Supplement)

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

16 **Article – Criminal Procedure**

17 5–213.1.

18 (a) A person, **INCLUDING AN INCARCERATED PERSON**, may not violate a
19 condition of pretrial or posttrial release **OR OTHER PRETRIAL OR POSTTRIAL**
20 **CONDITION** prohibiting the person from contacting, harassing, or abusing an alleged
21 victim or going in or near an alleged victim's residence or place of employment if the person
22 is charged with committing:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) a violation of Title 3, Subtitle 3 of the Criminal Law Article against a
2 victim who is a minor;

3 (2) a crime of violence as defined in § 5–101 of the Public Safety Article;

4 (3) a crime against a victim who is a person eligible for relief as defined in
5 § 4–501 of the Family Law Article; or

6 (4) a violation of § 3–802 of the Criminal Law Article.

7 (b) A person who violates subsection (a) of this section is guilty of a misdemeanor
8 and on conviction is subject to imprisonment not exceeding 90 days.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2023.