

SENATE BILL 487

E2

3lr2427
CF HB 411

By: **Senator Waldstreicher**

Introduced and read first time: February 3, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Violation of Pretrial or Posttrial Condition**

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

7 BY repealing and reenacting, with amendments,

8 Article – Criminal Procedure

9 Section 5–213.1

10 Annotated Code of Maryland

11 (2018 Replacement Volume and 2022 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

13 That the Laws of Maryland read as follows:

14 **Article – Criminal Procedure**

15 5–213.1.

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) a crime against a victim who is a person eligible for relief as defined in
2 § 4–501 of the Family Law Article; or

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

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

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