

(2) A FAILURE TO APPEAR AS REQUIRED BY PERSONAL RECOGNIZANCE IS SUBJECT TO THE PENALTIES PROVIDED IN § 5-211 OF THIS TITLE.

(C) EXCEPTIONS.

A DEFENDANT MAY NOT BE RELEASED ON PERSONAL RECOGNIZANCE IF THE DEFENDANT IS CHARGED WITH:

(1) A CRIME LISTED IN § 5-202(D) OF THIS SUBTITLE AFTER HAVING BEEN CONVICTED OF A CRIME LISTED IN § 5-202(D) OF THIS SUBTITLE; OR

(2) A CRIME PUNISHABLE BY DEATH OR LIFE IMPRISONMENT WITHOUT PAROLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 638A and 616 1/2(d).

In subsections (a) and (b) of this section, the reference to "before verdict or pending a new trial" is substituted for the former references to "before or after trial of the case" and "trial either before or after", respectively, for accuracy.

In subsections (a) and (b)(1) of this section, the references to a "defendant" are substituted for the former references to an "accused person" for consistency with terminology used throughout this subtitle and in the Maryland Rules.

In subsection (b)(1) of this section, the phrase "[e]xcept as provided in subsection (c) of this section" is added to state expressly what was only implied in the former law.

Also in subsection (b)(1) of this section, the reference to "personal" recognizance is substituted for the former reference to a person's "own" recognizance for consistency with terminology used in subsection (c) of this section and in the Maryland Rules.

Also in subsection (b)(1) of this section, the reference to a "minor or adult defendant" is substituted for the former reference that "[t]he provisions of this section shall apply to all persons regardless of age" for brevity.

In subsection (c) of this section, the reference to a "crime" is substituted for the former reference to a "criminal case or offense" to conform to the terminology used throughout this subtitle.

In subsection (c)(2) of this section, the former phrase "before any judge of any circuit court in the counties or any judge or commissioner of the District Court of Maryland" is deleted as surplusage.

5-102. DEFENDANT CHARGED WITH CRIME PUNISHABLE BY LIFE IMPRISONMENT.

A DEFENDANT CHARGED WITH A CRIME PUNISHABLE BY LIFE IMPRISONMENT MAY BE RELEASED ON BAIL OR OTHER CONDITIONS OF RELEASE BEFORE CONVICTION.