

Article – Health – General

Section 12–101 through 12–122, inclusive, and the title “Title 12. Incompetency and Criminal Responsibility in Criminal Cases”

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

ARTICLE – CRIMINAL PROCEDURE

TITLE 1. DEFINITIONS; GENERAL PROVISIONS.

SUBTITLE 1. DEFINITIONS.

1–101. DEFINITIONS.

(A) IN GENERAL.

IN THIS ARTICLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language added as the standard introductory language to a definition section.

(B) CHARGING DOCUMENT.

(1) “CHARGING DOCUMENT” MEANS A WRITTEN ACCUSATION ALLEGING THAT A DEFENDANT HAS COMMITTED A CRIME.

(2) “CHARGING DOCUMENT” INCLUDES A CITATION, AN INDICTMENT, AN INFORMATION, A STATEMENT OF CHARGES, AND A WARRANT.

REVISOR'S NOTE: This subsection is new language added to provide a convenient reference to any document containing allegations that a defendant has committed a crime. It is based on Md. Rule 4–102(a).

(C) CORRECTIONAL FACILITY.

“CORRECTIONAL FACILITY” HAS THE MEANING STATED IN § 1–101 OF THE CORRECTIONAL SERVICES ARTICLE.

REVISOR'S NOTE: This subsection is new language added to provide a definition of the term “correctional facility” for this article.

The comprehensive term, which was first defined for the Correctional Services Article, includes the former references to a “jail”, “prison”, “detention center”, “penal institution”, “reformatory”, “institution”, “lock-up”, “community correctional facility”, “work release facility”, “pre-release facility”, and various other similar terms. See General Revisor's Note to the Correctional Services Article.

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that this definition does not explicitly cover adults who are detained or confined after a plea of nolo contendere or probation before judgment.