

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Section 10 (a) of Article 31B of the Annotated Code of Maryland (1951 Edition), title "Defective Delinquents", sub-title "Defective Delinquents", be and it is hereby repealed and re-enacted, with amendments, to read as follows:*

10. (Petition for Review.) (a) Any person confined as a defective delinquent under an indeterminate sentence in any institution for defective delinquents, or anyone in his behalf, including the Director or any officer or employee thereof, may file a petition in the [circuit court for any county or in a court of law in Baltimore City] *law courts of any THE county, or Baltimore City, as the case may be, either where he is confined, or from which he was committed,* SUCH PERSON WAS ORIGINALLY SENTENCED, *or which was the bona fide residence of the petitioner at the time of his commitment* SUCH SENTENCE, requesting that the person so confined be brought before said court for the purpose of having the defective delinquency of such person redetermined. PROVIDED, HOWEVER, THAT IF THE LAW COURT OF THE COUNTY OR BALTIMORE CITY, AS THE CASE MAY BE, ~~WHERE HE IS CONFINED, OR FROM WHICH HE WAS COMMITTED,~~ ORIGINALLY SENTENCED, OR IN WHICH HE WAS A BONA FIDE RESIDENT AT THE TIME OF ~~HIS COMMITMENT~~ SUCH SENTENCE ARE ONE AND THE SAME THE PETITIONER SHALL HAVE AN ABSOLUTE RIGHT TO FILE HIS PETITION IN THE LAW COURT OF ANY OTHER COUNTY OR IN BALTIMORE CITY. The court shall forthwith proceed to hear and determine the matter. If the person so confined, or anyone in his behalf, shall pray a jury trial, the court shall empanel a jury of twelve persons to be selected by the court from the jurors then in attendance upon said court; or if the court is in recess, the jurors shall be selected from those in attendance at the term of court at which said petition is heard. Any [part] party in interest shall have the right to counsel and to process to compel the attendance of witnesses. If the court or jury, as the case may be, shall determine that such person is a defective delinquent, the court shall order said person recommitted to the institution from which he immediately came; otherwise he shall be discharged from such confinement and custody, or in the discretion of the court committed under his original sentence, less such time as he has already served in the institution for defective delinquents or elsewhere within the custody of the Board of Correction.

SEC. 2. *And be it further enacted, That this Act shall take effect June 1, 1957.*

Approved March 28, 1957.

CHAPTER 379

(Senate Bill 59)

AN ACT to add new Section 453B to the Charter and Public Local Laws of Baltimore City (1949 Edition) being Article 4 of the

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.