

the said Code (1957 Edition), title "Crimes and Punishments", sub-title "Places of Reformation and Punishment", sub-heading "Department of Correction", and to repeal and re-enact, with amendment, Sections 6 (b), 8 (a) and 11 of Article 31B of the said Code, title "Defective Delinquents", sub-title "Defective Delinquents", and to add new Section 11A to the said Article and sub-title of the Code, to follow immediately after Section 11 thereof, relating to the manner of and procedure for appeals to the Court of Appeals from orders made pursuant to the defective delinquent laws, to transfers to and from the institution for confinement of defective delinquents and to requests for examinations to determine defective delinquency.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 15A of Article 5 of the Annotated Code of Maryland (1957 Edition and 1959 Supplement), title "Appeals", sub-title "Appeals to the Court of Appeals", sub-heading "Appeals in Criminal Cases", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

15A.

In any criminal case where a defendant has been convicted or sentenced, other than a conviction or sentence imposed by a circuit court of a county or the Criminal Court of Baltimore in the proper exercise of its jurisdiction on appeal from a trial magistrate where no appeal to the Court of Appeals is provided by law [and other than appeals in accordance with Article 31B of the Annotated Code of Maryland,] and except as provided in Section 15, and the defendant files an order for appeal pursuant to and within the time limited by the Maryland Rules of Procedure, the defendant, if unable by reason of poverty to pay the cost of an appeal to the Court of Appeals, may file with the court imposing the sentence a petition under oath alleging the fact of his poverty and his inability to defray the expense of prosecuting an appeal. The lower court upon being satisfied that such defendant is unable by reason of poverty to defray the expense of prosecuting an appeal to the Court of Appeals shall sign an order directing that all costs, including but not limited to all court costs, the cost of preparing the transcript of testimony, the cost of preparing and transmitting the record, and the cost of the briefs, appendices and printed record extract necessary in connection with the appeal shall be paid by the State of Maryland and that the record be transmitted to the Court of Appeals at the expense of the State. A copy of such order shall be included in the record transmitted to the Court of Appeals and the payment of all filing fees to the Clerk of the Court of Appeals in connection with the appeal shall be waived. If counsel prosecuting such appeal on behalf of the defendant has been appointed as such counsel by the court imposing sentence or by the Court of Appeals, the Court of Appeals may allow to such counsel a fee in such amount as the court shall think proper for his services in connection with such appeal, such fee to be paid by the State.

SEC. 2. *And be it further enacted,* That Section 706 (a) of Article 27 of the said Code (1957 Edition), title "Crimes and Punishments", sub-title "Places of Reformation and Punishment", sub-heading "Department of Correction" be and it is hereby repealed and re-enacted, with amendments, to read as follows: