

*Violation of Bail or Recognizance*

## 12A.

(a) Any person who has been admitted to bail or released on recognizance in any criminal case in this State who forfeits the bail or recognizance and willfully fails to surrender himself within thirty days following the date of forfeiture shall be sentenced as provided herein. If the bail or recognizance was given in connection with a charge of felony or pending an appeal, certiorari, habeas corpus, or post conviction proceeding after conviction of any offense, the person shall be fined not more than \$5,000 or imprisoned in the penitentiary for not more than five years or both. If the bail or recognizance was given in connection with a charge of committing a misdemeanor, or for appearance as a witness, the person shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

(b) Nothing in this section shall interfere with or prevent the exercise by any court of its power to punish for contempt.

## 638A.

(a) When from all the circumstances the court is of the opinion that any accused person in a criminal case will appear as required for trial either before or after his conviction, the person may be released on his own recognizance. A failure to appear as required by such recognizance shall be subject to the penalty provided in Section 12A of this article.

(b) This section shall be liberally construed to effectuate the purpose of relying upon criminal sanctions instead of financial loss to assure the appearance of an accused person in a criminal case either before or after trial of the case.

(c) The provisions of this section shall be applicable to any criminal case or offense except a case where death is a possible punishment before any judge of any circuit court in the counties or any judge of the Criminal Courts of Baltimore City, any people's court judge with criminal jurisdiction, any of the judges of the Municipal Court of Baltimore City, or any trial magistrate. The provisions of this section shall only be applicable to persons twenty-one years of age and older.

SEC. 2. *And be it further enacted*, That all laws or parts of laws, public general or public local, inconsistent with the provisions of this Act are hereby repealed to the extent of any such inconsistency.

SEC. 3. *And be it further enacted*, That if any provision of this Act or the application thereof to any person or circumstances is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Act which can be given effect without the invalid provision or application, and to this end, all the provisions of this Act are hereby declared to be severable.

SEC. 4. *And be it further enacted*, That this Act shall take effect June 1, 1965.

Approved February 18, 1965.