

bail or recognizance FOR THE ~~SECOND~~ SUBSEQUENT CHARGE UNTIL THE ~~FIRST~~ PRIOR CHARGE HAS BEEN FINALLY DETERMINED BY THE COURTS, AND ~~DEFINING A CRIME OF VIOLENCE~~ ENUMERATING THE CERTAIN OFFENSES TO WHICH THIS SECTION SHALL APPLY.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section ~~616-1~~ 616½ be and it is hereby added to Article 27 of the Annotated Code of Maryland (1967 Replacement Volume), title "Crimes and Punishments," subtitle "Venue, Procedure and Sentence," subheading "Indictments," to follow immediately after Section 616 thereof, to read as follows:

~~616-1.~~ 616½.

*Any person charged with and indicted by a court* GRAND JURY of this State OR CHARGED BY A CRIMINAL INFORMATION for a ~~felony~~ CRIME OF VIOLENCE AN OFFENSE AS HEREINAFTER ENUMERATED which was committed during the time said person had been released on bail or his own recognizance FOR COMMITTING A CRIME OF VIOLENCE AN OFFENSE AS HEREINAFTER ENUMERATED, shall become ineligible to give bail or be released on recognizance on ~~said~~ THE SECOND ANY SUBSEQUENT CHARGE charge, until such time as ~~said~~ THE FIRST ALL PRIOR ~~charge has~~ CHARGES HEREUNDER HAVE finally been determined by the courts. FOR THE PURPOSES OF THIS SECTION, A CRIME OF VIOLENCE SHALL MEAN ANY OF THOSE OFFENSES SPECIFIED IN THE FOLLOWING SECTIONS OF ARTICLE 27, AS THEY MAY BE AMENDED FROM TIME TO TIME: PROVIDED, HOWEVER, THAT A PERSON CHARGED WITH AND INDICTED FOR A SUBSEQUENT CRIME AS HEREINAFTER SET FORTH, MAY REBUT HIS INELIGIBILITY FOR RELEASE ON BAIL OR RECOGNIZANCE BEFORE DETERMINATION OF THE PRIOR CHARGE. IF, AFTER CONSIDERATION OF THE MATTERS PRESENTED IN REBUTTAL, THE COURT HEARING THE APPLICATION FOR BAIL IS PERSUADED THAT THE APPLICANT WOULD NOT POSE A DANGER TO ANY OTHER PERSON OR TO THE COMMUNITY, AND WOULD APPEAR AT THE TIME SET FOR TRIAL, THE COURT MAY ALLOW RELEASE PENDING TRIAL ON SUITABLE BAIL OR RECOGNIZANCE AND ON SUCH OTHER CONDITIONS AS WILL REASONABLY ASSURE THAT THE PERSON CHARGED WILL NOT FLEE. FOR THE PURPOSES OF THIS SECTION, THE OFFENSES SHALL BE THOSE SPECIFIED IN THE FOLLOWING SECTIONS OF ARTICLE 27 OF THE ANNOTATED CODE OF MARYLAND (1967 REPLACEMENT VOLUME) AS THEY MAY BE AMENDED FROM TIME TO TIME:

- (1) SECTION 6 (RELATING TO BURNING OF PROPERTY ETC. ;
- (2) SECTION 7 (RELATING TO BURNING OF BARN, GARAGE, CHURCH, ETC.);
- (3) SECTION 10 (RELATING TO ATTEMPT TO BURN BUILD OR PROPERTY);