

STRIKE OUT A FORFEITURE, IF RETURN OF THE DEFENDANT TO THE JURISDICTION OF THE COURT UPON EXPIRATION OF HIS SENTENCE AT NO EXPENSE TO THE STATE, COUNTY, OR MUNICIPALITY IS ASSURED.

REVISOR'S NOTE: Paragraph (2) is Art. 26, §5A, which is proposed for repeal.

(3) IF A CRIMINAL CASE IS STETTED, (I) THE DEFENDANT IS ENTITLED TO A REFUND OF ANY COLLATERAL PUT UP BY HIM FOR BAIL OR RECOGNIZANCE; (II) ANY OTHER PERSON WHO HAS FURNISHED COLLATERAL IS LIKEWISE ENTITLED TO REFUND; AND (III) IF ANY BOND OR OTHER SECURITY HAS BEEN FURNISHED, THE BOND OR OTHER SECURITY SHALL BE DISCHARGED, UNLESS IT HAS BEEN DECLARED FORFEITED, IN WHICH EVENT NEITHER THE DEFENDANT NOR ANY OTHER PERSON IS ENTITLED TO A REFUND OR DISCHARGE.

REVISOR'S NOTE: Paragraph (3) is Art. 26, §35, which is proposed for repeal.

Art. 26, §34 is also proposed for repeal. This section permits a court to release a person on his own recognizance. However, a more recent statute, Art. 27, §638A, grants a similar authority and has probably superseded the Art. 26 provisions.

On the subject of bail, references should also be made to Art. 27, §638B, as enacted by Ch. 538, Acts of 1973.

(E) THE CIRCUIT COURTS FOR EACH OF THE COUNTIES OF THE SECOND AND SEVENTH JUDICIAL CIRCUITS ARE AUTHORIZED TO PRESCRIBE BY RULE OF COURT THE TERMS AND CONDITIONS OF BAIL BONDS FILED IN THE CIRCUIT COURT FOR EACH COUNTY RESPECTIVELY. THE POWER GRANTED HEREIN INCLUDES BUT IS NOT LIMITED TO PRESCRIBING THE QUALIFICATIONS OF AND FEES CHARGED BY BONDSMEN. A BOND COMMISSIONER MAY BE APPOINTED TO ADMINISTER THE RULES OF COURT ADOPTED PURSUANT TO THIS SECTION. VIOLATIONS OF ANY RULE OF COURT PROMULGATED HEREUNDER SHALL BE CONSIDERED CONTEMPT OF COURT AND PUNISHED AS FOR CONTEMPT. IN ADDITION TO THOSE RULES PROMULGATED BY THE SEVENTH JUDICIAL CIRCUIT AND PERTAINING TO PRINCE GEORGE'S COUNTY IT IS HEREBY PROVIDED THAT IN PRINCE GEORGE'S COUNTY NO PERSON SHALL ENGAGE IN THE BUSINESS OF BECOMING SURETY FOR COMPENSATION ON BONDS IN CRIMINAL CASES UNTIL HE SHALL HAVE BEEN APPROVED BY SUCH RULES AS THE CIRCUIT COURT FOR PRINCE GEORGE'S