

House Bill No. 516

AN ACT concerning

Criminal Cases - State's Right to Appeal

FOR the purpose of providing that in criminal cases the State or the defendant may appeal from certain decisions of the circuit courts concerning the admissibility of evidence and the return of seized property; specifying the conditions under which the appeals may be taken; providing in certain cases for the release of criminal defendants on personal recognizance bail; making certain technical corrections to the language, style of expression, and language usage in certain provisions of the Annotated Code of Maryland; and generally relating to the State's right to appeal in criminal cases.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 12-302(c)
Annotated Code of Maryland
(1980 Replacement Volume and 1980 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Courts and Judicial Proceedings

12-302.

(c) [(1)] In a criminal case, the State may appeal[:]
~~ONLY AS PROVIDED IN THIS SUBSECTION.~~

{(1) [From] {2} THE STATE MAY APPEAL FROM a final judgment granting a motion to dismiss or quashing or dismissing any indictment, information, presentment, or inquisition[; and].

{(2) [From] {3} THE STATE MAY APPEAL FROM a final judgment if the State alleges that the trial judge failed to impose the sentence specifically mandated by the Code.