

AN ACT concerning

Bail Bondsmen - Return of Bond and Collateral

FOR the purpose of providing for the return of bond or collateral to a surety under certain circumstances; altering a limitation regarding the refund or discharge of bond or collateral if a criminal case is steted; prohibiting a court from ordering forfeiture of bond or collateral under certain circumstances; providing for the application of this Act; and generally relating to the forfeiture of bond and collateral.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishmments
Section 616 1/2(e)
Annotated Code of Maryland
(1937 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27. - Crimes and Punishments

616 1/2.

(e) (1) Any court exercising criminal jurisdiction shall strike out a forfeiture of bail or collateral where the defendant can show reasonable grounds for his nonappearance. However the court shall allow a surety 90 days, or for good cause shown, 180 days from the date of failure to appear to produce the defendant in court before requiring the payment of any forfeiture of bail or collateral. The court shall strike out a forfeiture of bail or collateral deducting only the actual expense incurred for the defendant's arrest, apprehension, or surrender if the defendant is produced in court and if the arrest, apprehension, or surrender occurs more than 90 days after the defendant's failure to appear or at the termination of the period allowed by the court to produce the defendant.

(2) Evidence of incarceration of a defendant at the time of forfeiture in any penal institution within the United States is a wholly sufficient ground to 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.