

## CHAPTER 247

(Senate Bill 534)

AN ACT concerning

**Bail—Restrictions Crimes of Violence – Release of Defendant Pretrial.**

FOR the purpose of prohibiting a District Court Commissioner from authorizing the pretrial release of a defendant who is charged with committing a crime of violence after having previously been convicted of a crime of violence within a certain time period or with committing a certain offense while on parole or probation for a certain offense; permitting a judge to release such a defendant on suitable bail and on such conditions as will reasonably assure that the defendant will not flee or pose a danger to another person or the community; establishing a certain rebuttable presumption; prohibiting the granting of bail under certain circumstances to a defendant who is charged with certain offenses; and generally relating to restrictions on the granting of bail. release pretrial of certain defendants charged with certain crimes of violence if the defendant is on parole, probation, or mandatory supervision for another crime of violence; allowing a judge to release pretrial certain defendants charged with certain crimes of violence under certain circumstances; establishing a certain presumption applicable to certain defendants charged with crimes of violence under certain circumstances; and generally relating to releasing pretrial defendants charged with crimes of violence.

BY repealing and reenacting, with amendments, adding to

Article 27 – Crimes and Punishments

Section ~~616 1/2 and 638B~~ 616 1/2(k)

Annotated Code of Maryland

(1992 Replacement Volume and 1992 Supplement)

BY repealing and reenacting, without amendments,

Article 27 – Crimes and Punishments

Section 643B(a)

Annotated Code of Maryland

(1992 Replacement Volume and 1992 Supplement)

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.

(a) ~~Subject to the provisions of [subsection (c)] SUBSECTIONS (C), (J), AND (K) AND (J) of this section, in a criminal case in the circuit court of a county wherein the accused has been allowed to give bail, if the court shall adjourn before he has secured the bail, the clerk of the court may take the bail, on its being directed by order of court before adjournment, or of one of the judges after adjournment, fixing the amount thereof; but~~