

CHAPTER 603**(House Bill 840)**

AN ACT concerning

Criminal Law – Bail Bonds and Bail Bondsmen

FOR the purpose of authorizing the court to strike a forfeiture of bail and discharge the underlying bond in certain circumstances; defining certain terms; specifying an additional circumstance applicable to a certain type of defendant the court may consider as grounds to strike a forfeiture; eliminating a requirement that a defendant be incarcerated at a certain time for a court to strike out a forfeiture; making applicable statewide certain provisions of law relating to the circuit court's power to adopt rules regulating bail bondsmen, appoint a bond commissioner, ~~require a certain license fee~~, and reinstate certain conditions to ensure a defendant's appearance under certain circumstances; clarifying that an individual must obtain a license to become a surety in criminal cases; and generally relating to bail bonds and bail bondsmen.

BY repealing and reenacting, with amendments,

Article 27 – Crimes and Punishments

Section 616 1/2(e), (f), and (g)

Annotated Code of Maryland

(1992 Replacement Volume and 1993 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.

(e) (1) IN THIS SUBSECTION, UNLESS THE CONTEXT INDICATES OTHERWISE, "PRODUCE" OR "PRODUCED" MEANS PLACING THE DEFENDANT IN THE CUSTODY OF A POLICE OFFICER, SHERIFF, OR OTHER COMMISSIONED LAW ENFORCEMENT OFFICER AUTHORIZED TO MAKE ARRESTS WITHIN THE JURISDICTION OF THE COURT OR A JUDICIAL OFFICER.

(2) [Any] SUBJECT TO ITEM (II) OF THIS PARAGRAPH, ANY court exercising criminal jurisdiction shall strike out a forfeiture of bail or collateral AND DISCHARGE THE UNDERLYING BOND, where the defendant can show reasonable grounds for his nonappearance. However the court shall:

(I) [allow] 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]; AND