

property posted; establishing certain penalties for persons who provide false documentation under certain circumstances; providing that this Act does not apply in a certain judicial circuit; and generally relating to property bondsmen.

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 5-209

Annotated Code of Maryland

(As enacted by Chapter 10 (S.B. 1) of the Acts of the General Assembly of 2001)

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

**Article - Criminal Procedure**

5-209.

(a) (1) In this section, "property bondsman" means a person other than a defendant who:

~~(I) FOR COMPENSATION, executes a bail bond secured by real estate in the State; OR~~

~~(II) EXECUTES IN 1 CALENDAR YEAR AT LEAST 3 BAIL BONDS SECURED BY REAL ESTATE IN THE STATE.~~

~~(3) TO ISSUE BAIL BONDS IN THE DISTRICT COURT, A PROPERTY BONDSMAN SHALL:~~

~~(I) MEET THE REQUIREMENTS OF THE CIRCUIT COURT OR JUDICIAL CIRCUIT WHERE THE PROPERTY BONDSMAN SEEKS TO ISSUE BAIL BONDS;~~

~~(II) REGISTER AND REMAIN IN GOOD STANDING WITH THE DISTRICT COURT; AND~~

~~(III) BE INCLUDED ON THE APPROVED LIST OF PROPERTY BONDSMEN THAT THE DISTRICT COURT MAINTAINS.~~

(B) THIS SECTION DOES NOT APPLY IN THE SEVENTH JUDICIAL CIRCUIT.

(b) (C) A property bondsman may authorize an agent in writing to execute on behalf of the property bondsman:

(1) a bail bond; and

(2) a declaration of trust or deed of trust to secure a bail bond by real estate.

(e) (D) If all other requirements of law are met, a person authorized by law to take a bail bond shall take a bail bond secured by declaration of trust or deed of trust on real estate properly executed by an authorized agent of a property bondsman.