

Defined terms: "Executive authority" § 9-101

"Local correctional facility" § 1-101

"Person" § 1-101

"State" § 9-101

9-116. BAIL BY BOND.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AND UNLESS THE CRIME WITH WHICH THE PERSON ARRESTED IS CHARGED IS SHOWN TO BE A CRIME PUNISHABLE BY DEATH OR LIFE IMPRISONMENT UNDER THE LAWS OF THE STATE IN WHICH IT WAS COMMITTED, A JUDGE IN THIS STATE MAY ADMIT THE PERSON ARRESTED TO BAIL BY BOND, WITH SUFFICIENT SURETIES, AND IN THE SUM THE JUDGE DEEMS PROPER, CONDITIONED FOR THE PERSON'S APPEARANCE BEFORE THE JUDGE AT A TIME SPECIFIED IN THE BOND, AND FOR THE PERSON'S SURRENDER, TO BE ARRESTED UPON THE WARRANT OF THE GOVERNOR OF THIS STATE.

(B) EXCEPTIONS.

A JUDGE MAY NOT ADMIT A PERSON TO BAIL BY BOND UNDER SUBSECTION (A) OF THIS SECTION FOR THE FIRST 10 DAYS FOLLOWING THE PERSON'S:

(1) ARREST UNDER OR SERVICE WITH A GOVERNOR'S WARRANT UNDER THIS TITLE; OR

(2) SIGNING A WAIVER OF EXTRADITION PROCEEDINGS UNDER THIS TITLE.

REVISOR'S NOTE: This section formerly was Art. 41, § 2-216.

In subsection (a) of this section, the reference to a "crime" is substituted for the former reference to an "offense" to conform to the terminology used throughout this article.

Also in subsection (a) of this section, the defined term "person" is substituted for the former reference to "prisoner" to conform to the terminology used throughout this article.

The only other changes are in style.

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that, unlike other provisions of this title, in subsection (a) of this section, a reference to "District Court commissioner" does not appear with the reference to a "judge". The General Assembly may wish to add that reference for consistency.

Defined terms: "Person" § 1-101

"State" § 9-101

9-117. DISCHARGE, RECOMMITMENT, OR RENEWAL OF BAIL.

IF THE ACCUSED IS NOT ARRESTED UNDER WARRANT OF THE GOVERNOR WITHIN THE TIME SPECIFIED IN THE WARRANT OR BOND, A JUDGE OR DISTRICT