

SENATE BILL 170

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8lr1139
CF HB 388

By: **Senators Lee, Brochin, Feldman, Kagan, Kelley, Madaleno, Muse, Ramirez, Ready, Smith, and Zirkin**

Introduced and read first time: January 15, 2018

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 20, 2018

CHAPTER _____

1 AN ACT concerning

2 **Criminal Procedure – Violation of Conditions of Release**

3 FOR the purpose of expanding the list of charges to which a certain prohibition against
4 violating a certain condition of pretrial or posttrial release is applicable; and
5 generally relating to pretrial and posttrial release.

6 BY repealing and reenacting, with amendments,

7 Article – Criminal Procedure

8 Section 5–213.1

9 Annotated Code of Maryland

10 (2008 Replacement Volume and 2017 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

12 That the Laws of Maryland read as follows:

13 **Article – Criminal Procedure**

14 5–213.1.

15 (a) A person [charged with committing a violation of Title 3, Subtitle 3 of the
16 Criminal Law Article against a victim who is a minor] may not violate a condition of pretrial
17 or posttrial release prohibiting the person from contacting, harassing, or abusing [the] AN
18 alleged victim or going in or near [the] AN alleged victim’s residence or place of employment
19 **IF THE PERSON IS CHARGED WITH COMMITTING:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(1) A VIOLATION OF TITLE 3, SUBTITLE 3 OF THE CRIMINAL LAW**
2 **ARTICLE AGAINST A VICTIM WHO IS A MINOR;**

3 **(2) A CRIME OF VIOLENCE AS DEFINED IN § 5-101 OF THE PUBLIC**
4 **SAFETY ARTICLE; OR**

5 **(3) A CRIME AGAINST A VICTIM WHO IS A PERSON ELIGIBLE FOR**
6 **RELIEF AS DEFINED IN § 4-501 OF THE FAMILY LAW ARTICLE.**

7 (b) A person who violates subsection (a) of this section is guilty of a misdemeanor
8 and on conviction is subject to imprisonment not exceeding 90 days.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.