

# HOUSE BILL 441

E2

2lr1972  
CF 2lr1162

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By: **Delegate Clippinger**

Introduced and read first time: January 20, 2022

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Pretrial Release of Defendant – Notice**

3 FOR the purpose of requiring a court and the Office of the State’s Attorney to notify a  
4 certain law enforcement agency if a defendant charged with certain crimes is  
5 released prior to trial; and generally relating to pretrial release procedures.

6 BY adding to

7 Article – Criminal Procedure

8 Section 5–105

9 Annotated Code of Maryland

10 (2018 Replacement Volume and 2021 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 **5–105.**

15 **(A) THIS SECTION APPLIES ONLY TO A DEFENDANT WHO IS CHARGED WITH:**

16 **(1) MURDER IN THE FIRST DEGREE;**

17 **(2) MURDER IN THE SECOND DEGREE;**

18 **(3) ATTEMPTED MURDER IN THE FIRST DEGREE;**

19 **(4) ATTEMPTED MURDER IN THE SECOND DEGREE;**

20 **(5) ROBBERY WITH A DANGEROUS WEAPON; OR**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(6) ARMED CARJACKING.**

2           **(B) IF A DEFENDANT IS RELEASED BEFORE TRIAL, THE COURT AND THE**  
3 **OFFICE OF THE STATE'S ATTORNEY SHALL PROVIDE NOTICE WITHIN 48 HOURS OF**  
4 **THE RELEASE TO THE LAW ENFORCEMENT AGENCY THAT ARRESTED THE**  
5 **DEFENDANT.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2022.