

# HOUSE BILL 1375

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HB 1728/18 – HRU

9lr3036

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By: **Delegate Anderson**

Introduced and read first time: February 20, 2019

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Postconviction Relief – Ineffective Assistance by Counsel – Mandatory Referral**  
3 **to Attorney Grievance Commission**

4 FOR the purpose of requiring the court, when granting an order in favor of the petitioner  
5 in a certain postconviction motion on the grounds of ineffectiveness of counsel, to  
6 refer a certain attorney to the Attorney Grievance Commission for certain  
7 proceedings; and generally relating to postconviction relief.

8 BY adding to

9 Article – Criminal Procedure  
10 Section 7–110  
11 Annotated Code of Maryland  
12 (2018 Replacement Volume)

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

### Article – Criminal Procedure

16 **7–110.**

17 **IF A COURT PASSES AN ORDER IN ACCORDANCE WITH THIS SUBTITLE IN**  
18 **FAVOR OF THE PETITIONER ON THE GROUNDS OF INEFFECTIVENESS OF COUNSEL,**  
19 **THE COURT SHALL REFER THE ATTORNEY WHOSE CONDUCT WAS FOUND**  
20 **INEFFECTIVE TO THE ATTORNEY GRIEVANCE COMMISSION FOR PROCEEDINGS IN**  
21 **ACCORDANCE WITH THE MARYLAND RULES GOVERNING ATTORNEY DISCIPLINE.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 2019.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

