

HOUSE BILL 685

E2

8lr2524

By: **Delegate Conaway**

Introduced and read first time: January 31, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Pretrial Release – Grace Period for Failure to Appear**

3 FOR the purpose of prohibiting a defendant who fails to appear for a certain hearing from
4 being penalized under certain circumstances, with a certain exception; authorizing
5 a court to order a certain defendant to pay certain fees and costs; providing for the
6 application of this Act; and generally relating to pretrial release.

7 BY adding to

8 Article – Criminal Procedure

9 Section 5–216

10 Annotated Code of Maryland

11 (2008 Replacement Volume and 2017 Supplement)

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

14 **Article – Criminal Procedure**

15 **5–216.**

16 (A) THIS SECTION DOES NOT APPLY TO A DEFENDANT WHO HAS BEEN
17 GRANTED PRETRIAL RELEASE ON BAIL.

18 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A
19 DEFENDANT WHO IS GRANTED PRETRIAL RELEASE AND WHO SUBSEQUENTLY FAILS
20 TO APPEAR AT A SCHEDULED COURT HEARING AS REQUIRED MAY NOT BE
21 PENALIZED FOR THE FAILURE TO APPEAR IF THE DEFENDANT:

22 (1) TURNS HIMSELF OR HERSELF IN TO THE COURT WITHIN 7 DAYS OF
23 THE MISSED HEARING; AND

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) WAS NOT ARRESTED OR CHARGED WITH ANOTHER CRIME AFTER**
2 **THE FAILURE TO APPEAR.**

3 **(C) A COURT MAY ORDER A DEFENDANT DESCRIBED IN SUBSECTION (B) OF**
4 **THIS SECTION TO PAY COURT FEES AND COSTS ASSOCIATED WITH THE HEARING FOR**
5 **WHICH THE DEFENDANT FAILED TO APPEAR.**

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