SENATE BILL 1048

E20lr3519 SB 1017/19 – JPR **CF HB 918** By: Senators Miller and Smith Introduced and read first time: February 20, 2020 Assigned to: Rules Re-referred to: Judicial Proceedings, February 24, 2020 Committee Report: Favorable Senate action: Adopted Read second time: March 14, 2020 CHAPTER AN ACT concerning Criminal Procedure - Office of the Public Defender - Definition of Serious Offense FOR the purpose of altering a certain definition of "serious offense" to remove a certain limitation on offenses that are included for purposes relating to representation by the Office of the Public Defender; and generally relating to the Office of the Public Defender. BY repealing and reenacting, without amendments, Article - Criminal Procedure Section 16–101(a) and 16–204(b)(1)(i) Annotated Code of Maryland (2018 Replacement Volume and 2019 Supplement) BY repealing and reenacting, with amendments, Article – Criminal Procedure Section 16–101(h) Annotated Code of Maryland (2018 Replacement Volume and 2019 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: Article - Criminal Procedure

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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



1	16–101.	
2	(a)	In this title the following words have the meanings indicated.
3	(h)	"Serious offense" means:
4		(1) a felony;
5 6	months or a	(2) a misdemeanor or offense punishable by confinement [for more than 3 fine of more than 500];
7 8	adult; or	(3) a delinquent act that would be a serious offense if committed by an
9 10 11		(4) an offense in which, in the opinion of the court, the complexity of the the youth, inexperience, or mental capacity of the accused requires ion of the accused by an attorney.
12	16–204.	
13 14	(b) this title in:	(1) Indigent defendants or parties shall be provided representation under
15 16	is alleged to	(i) a criminal or juvenile proceeding in which a defendant or party have committed a serious offense;
17 18	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take exoctober 1, 2020.	
	Approved:	
		Governor.
		President of the Senate.
		Speaker of the House of Delegates.