

SENATE BILL 457

E2, D1

2lr1603

By: **Senator Bailey**

Introduced and read first time: January 27, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Workgroup to Study Trial in Absence**

3 FOR the purpose of establishing the Workgroup to Study Trial in Absence to study and
4 make recommendations regarding the implementation of trial in absence for certain
5 nonserious misdemeanors and traffic-related offenses; and generally relating to the
6 Workgroup to Study Trial in Absence.

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
8 That:

9 (a) There is a Workgroup to Study Trial in Absence.

10 (b) The Workgroup consists of the following members:

11 (1) two members of the Senate of Maryland, appointed by the President of
12 the Senate;

13 (2) two members of the House of Delegates, appointed by the Speaker of
14 the House;

15 (3) one member appointed by the Chief Judge of the District Court of
16 Maryland;

17 (4) the Public Defender, or the Public Defender's designee; and

18 (5) the President of the Maryland State's Attorneys' Association, or the
19 President's designee.

20 (c) The Workgroup shall elect a chair from among its members.

21 (d) A member of the Workgroup:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) may not receive compensation as a member of the Workgroup; but

2 (2) is entitled to reimbursement for expenses under the Standard State
3 Travel Regulations, as provided in the State budget.

4 (e) The Administrative Office of the Courts shall provide staff for the Workgroup.

5 (f) The Workgroup shall:

6 (1) study other jurisdictions that have implemented trial in absence;

7 (2) determine the feasibility of implementing trial in absence in Maryland;

8 (3) determine which nonserious misdemeanors and traffic-related offenses
9 would be eligible for trial in absence;

10 (4) determine the conditions under which a trial in absence would be
11 authorized; and

12 (5) determine how any penalties incurred through a trial in absence would
13 be collected.

14 (g) On or before December 1, 2022, the Workgroup shall report its findings and
15 legislative recommendations to the General Assembly, in accordance with § 2-1257 of the
16 State Government Article.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2022. It shall remain effective for a period of 1 year and, at the end of June 30, 2023, this
19 Act, with no further action required by the General Assembly, shall be abrogated and of no
20 further force and effect.