

apply to a court to order a remission is substituted for the former reference to a defendant or surety who "shall" apply to a court to harmonize with the language of item (2) of this section, which states that a defendant or surety "need not" apply to the Governor.

1-208. PAYMENT OF COSTS FOR NOLLE PROSEQUI.

THE GOVERNOR MAY NOT GRANT A NOLLE PROSEQUI UNLESS THE APPLICANT FOR THE NOLLE PROSEQUI PAYS THE COST OF PROSECUTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 2-404.

The reference to the "applicant" is substituted for the former reference to "the person applying for the same" for brevity.

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that this section, which concerns the grant of a nolle prosequi by the Governor, is obsolete and is a possible candidate for repeal.

Defined term: "Nolle prosequi" § 1-101

TITLE 2. LAW ENFORCEMENT PROCEDURES; ARREST PROCESS.

SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS.

2-101. DEFINITIONS.

(A) IN GENERAL.

IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 594B(h)(1)(i) and (m)(1)(i).

The reference to "title" is substituted for the former reference to "subsection" because the definitions in this section are used throughout this title.

(B) EMERGENCY.

"EMERGENCY" MEANS A SUDDEN OR UNEXPECTED HAPPENING OR AN UNFORESEEN COMBINATION OF CIRCUMSTANCES THAT CALLS FOR IMMEDIATE ACTION TO PROTECT THE HEALTH, SAFETY, WELFARE, OR PROPERTY OF A PERSON FROM ACTUAL OR THREATENED HARM OR FROM AN UNLAWFUL ACT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 594B(h)(1)(ii) and (m)(1)(ii).

The reference to a "person" is substituted for the former reference to an "individual" to conform to the terminology used throughout this article.