
By: **Howard County Delegation**

Introduced and read first time: January 24, 2000

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 22, 2000

CHAPTER 350

1 AN ACT concerning

2 **Howard County - Confinement as a Condition of Probation**
3 **Ho. Co. 4-00**

4 FOR the purpose of authorizing in Howard County the court to impose a sentence of
5 confinement as a condition of probation; and generally relating to probation.

6 BY repealing and reenacting, with amendments,
7 Article 27 - Crimes and Punishments
8 Section 641
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 1999 Supplement)

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

13 **Article 27 - Crimes and Punishments**

14 641.

15 (a) (1) (i) 1. Whenever a person accused of a crime pleads guilty or nolo
16 contendere or is found guilty of an offense, a court exercising criminal jurisdiction, if
17 satisfied that the best interests of the person and the welfare of the people of the
18 State would be served thereby, and with the written consent of the person after
19 determination of guilt or acceptance of a nolo contendere plea, may stay the entering
20 of judgment, defer further proceedings, and place the person on probation subject to
21 reasonable terms and conditions as appropriate. The terms and conditions may
22 include ordering the person to pay a fine or pecuniary penalty to the State, or to make

1 the provisions of §§ 462 through 464B of this article for an offense involving a person
2 under the age of 16 years.

3 (5) By consenting to and receiving a stay of entering of the judgment as
4 provided by this subsection, the person waives the right to appeal from the judgment
5 of guilt by the court at any time. Prior to the person consenting to the stay of entering
6 of the judgment, the court shall notify the person that by consenting to and receiving
7 a stay of entry of judgment, the person waives the right to appeal from the judgment
8 of guilt by the court at any time.

9 (b) Upon violation of a term or condition of probation, the court may enter
10 judgment and proceed with disposition of the person as if the person had not been
11 placed on probation.

12 (c) Upon fulfillment of the terms and conditions of probation, the court shall
13 discharge the person from probation. The discharge is final disposition of the matter.
14 Discharge of a person under this section shall be without judgment of conviction and
15 is not a conviction for purposes of any disqualification or disability imposed by law
16 because of conviction of crime.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2000.