
By: **Delegates Kelly, Owings, Amedori, Bartlett, Boschert, Boutin, Edwards,
Elliott, Hogan, Malone, McKee, Mitchell, Myers, O'Donnell, Shank,
Stocksdale, Stull, and Weldon**

Introduced and read first time: January 22, 2003

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Terms of Probation - Requirements**

3 FOR the purpose of requiring a court, when ordering terms of probation, to make
4 certain determinations and statements, hear certain matters, and strike or
5 amend certain conditions under certain circumstances; and generally relating to
6 probation.

7 BY adding to

8 Article - Criminal Procedure

9 Section 6-225.1

10 Annotated Code of Maryland

11 (2001 Volume and 2002 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Criminal Procedure**

15 6-225.1.

16 IF A COURT ORDERS PROBATION UNDER § 6-219, § 6-220, § 6-221, § 6-224, OR §
17 6-225 OF THIS SUBTITLE, IN ORDERING ANY TERMS OF PROBATION, THE COURT
18 SHALL:

19 (1) DETERMINE WHETHER EACH STANDARD OR SPECIAL CONDITION IS
20 NECESSARY OR APPROPRIATE IN THE CASE;

21 (2) STATE EACH CONDITION TO THE DEFENDANT IN OPEN COURT;

22 (3) ALLOW THE DEFENDANT THE OPPORTUNITY TO BE HEARD ON THE
23 ISSUE OF WHETHER A PARTICULAR CONDITION IS NECESSARY OR APPROPRIATE;

24 AND

1 (4) STRIKE OR AMEND ANY CONDITION THAT THE COURT CONSIDERS IS
2 NOT NECESSARY OR APPROPRIATE IN THE CASE.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2003.