
By: **Delegate Hutchins**
Introduced and read first time: February 9, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Probation After Judgment**

3 FOR the purpose of establishing that, on entering a judgment of conviction,
4 suspending the imposition or execution of sentence, and placing a defendant on
5 probation, a court may impose as a condition of probation any lawful condition
6 whether or not a unit of State government has authority over the subject matter
7 of the condition; authorizing a circuit court to order probation for the time for
8 the maximum sentence allowed by law; and generally relating to probation after
9 judgment.

10 BY repealing and reenacting, with amendments,
11 Article - Criminal Procedure
12 Section 6-221 and 6-222
13 Annotated Code of Maryland
14 (As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of
15 2001)

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

18 **Article - Criminal Procedure**

19 6-221.

20 (A) On entering a judgment of conviction, the court may suspend the
21 imposition or execution of sentence and place the defendant on probation on the
22 conditions that the court considers proper.

23 (B) THE COURT MAY IMPOSE AS A CONDITION OF PROBATION ANY LAWFUL
24 CONDITION WHETHER OR NOT A UNIT OF STATE GOVERNMENT HAS AUTHORITY
25 OVER THE SUBJECT MATTER OF THE CONDITION.

26 6-222.

27 (a) A circuit court or the District Court may:

1 (1) impose a sentence for a specified time and provide that a lesser time
2 be served in confinement;

3 (2) suspend the remainder of the sentence; and

4 (3) order probation for a time longer than the sentence but not longer
5 than:

6 (i) 5 years OR THE TIME FOR THE MAXIMUM SENTENCE ALLOWED
7 BY LAW, WHICHEVER IS LONGER, if the probation is ordered by a circuit court; or

8 (ii) 3 years if the probation is ordered by the District Court.

9 (b) The court may extend the probation beyond the time allowed under
10 subsection (a) of this section if:

11 (1) the defendant consents in writing; and

12 (2) the extension is only for making restitution.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2001.