
By: **Delegate Simmons**

Introduced and read first time: January 29, 2003

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Extension of Probation - Payment of Restitution**

3 FOR the purpose of removing a requirement that a defendant must consent in writing
4 before a court can extend the defendant's probation beyond a certain time period
5 if the extension is only for making restitution; and generally relating to
6 probation and restitution.

7 BY repealing and reenacting, with amendments,
8 Article - Criminal Procedure
9 Section 6-222
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 6-222.

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

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

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

20 (3) order probation for a time longer than the sentence but not longer
21 than:

22 (i) 5 years if the probation is ordered by a circuit court; or

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

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

1 (1) the defendant consents in writing; and

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

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