

BY: Conference Committee

AMENDMENT TO SENATE BILL NO. 194

(Third Reading File Bill)

On page 8, in line 5, after “(1)” insert “EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,”; in line 13, after “SHALL,” insert “EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION AND”; in line 17, after “(1)” insert “EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,”; and in line 22, after “(2)” insert “EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,”.

On pages 8 and 9, strike in their entirety the lines beginning with line 34 on page 8 through line 3 on page 9, inclusive, and substitute:

“(D) UNDER THIS SECTION, A COURT MAY NOT STRIKE THE ENTRY OF JUDGMENT AND DEFER FURTHER PROCEEDINGS IN ACCORDANCE WITH § 6-220 OF THIS SUBTITLE OR STAY THE ENTERING OF A JUDGMENT AND PLACE A DEFENDANT ON PROBATION FOR A VIOLATION OF § 21-902 OF THE TRANSPORTATION ARTICLE IF, WITHIN THE PRECEDING 5 YEARS, THE DEFENDANT:

(1) HAS BEEN CONVICTED UNDER § 21-902 OF THE TRANSPORTATION ARTICLE; OR

(2) HAS BEEN PLACED ON PROBATION IN ACCORDANCE WITH § 6-220 OF THIS SUBTITLE, AFTER BEING CHARGED WITH A VIOLATION OF § 21-902 OF THE TRANSPORTATION ARTICLE.”.