Unofficial Copy E2 2004 Regular Session 4lr0538

By: Senator Brochin Introduced and read first time: January 21, 2004 Assigned to: Judicial Proceedings A BILL ENTITLED 1 AN ACT concerning 2 Criminal Procedure - Sexual Crimes Involving a Minor - Term of Probation 3 FOR the purpose of authorizing a court to order probation for a certain length of time for a defendant convicted of certain sexual abuse or sexual offense crimes 4 5 involving a minor; and generally relating to probation for defendants convicted 6 of certain crimes. 7 BY repealing and reenacting, with amendments, Article - Criminal Procedure 8 9 Section 6-222 10 Annotated Code of Maryland (2001 Volume and 2003 Supplement) 11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 12 13 MARYLAND, That the Laws of Maryland read as follows: 14 **Article - Criminal Procedure** 15 6-222. A circuit court or the District Court may: 16 (a) 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 EXCEPT AS PROVIDED IN ITEM (II) OF THIS ITEM, order 20 (3) 21 probation for a time longer than the sentence but, subject to subsections (b) and (c) of 22 this section, not longer than: 23 [(i)]1. 5 years if the probation is ordered by a circuit court; or 24 [(ii)] 2. 3 years if the probation is ordered by the District Court; 25 OR

SENATE BILL 121

3-602 OF THE CRIM	INAL LA	ANT CO AW ART	R THE PROBATION FOR A TIME LONGER THAN THE ONVICTED OF SEXUAL ABUSE OF A MINOR UNDER § FICLE OR A CRIME INVOLVING A MINOR UNDER § MINAL LAW ARTICLE, BUT NOT LONGER THAN:
COURT; OR		1.	10 YEARS IF THE PROBATION IS ORDERED BY A CIRCUIT
COURT.		2.	6 YEARS IF THE PROBATION IS ORDERED BY THE DISTRICT
(b) (1) extend the probation	-	_	the purpose of making restitution, the court may allowed under subsection (a) of this section for:
court; or	(i)	an addit	tional 5 years if the probation is ordered by a circuit
Court.	(ii)	an addit	tional 3 years if the probation is ordered by the District
15 (2) An extension of probation under this subsection may be unsupervised 16 or supervised by the Division of Parole and Probation.			
17 (c) The court may extend the probation beyond the time allowed under 18 subsection (b) of this section if:			
(1)	the defendant consents in writing; and		
(2)	the extension is only for making restitution.		
21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take 22 effect October 1, 2004.			
	3-602 OF THE CRIM 3-303 THROUGH 3-3 COURT; OR COURT. (b) (1) extend the probation court; or Court. (2) or supervised by the language of the court subsection (b) of this (1) (2) SECTION 2. AN	SENTENCE FOR A DEFEND 3-602 OF THE CRIMINAL LA 3-303 THROUGH 3-307 OF T COURT; OR COURT. (b) (1) [Only for extend the probation beyond the probation beyond the court; or (i) court; or (ii) Court. (2) An extend or supervised by the Division of the court may expended by the	SENTENCE FOR A DEFENDANT CO 3-602 OF THE CRIMINAL LAW ART 3-303 THROUGH 3-307 OF THE CRI 1. COURT; OR 2. COURT. (b) (1) [Only for] FOR extend the probation beyond the time at (i) an addition court; or (ii) an addition an addition court. (2) An extension of or supervised by the Division of Parole (c) The court may extend the subsection (b) of this section if: (1) the defendant court (2) the extension is a section 2. AND BE IT FURTH