
By: **Chairman, Judiciary Committee (By Request - Maryland Judicial Conference)**

Introduced and read first time: January 23, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **District Court - Violation of Probation - Notice or Warrant**

3 FOR the purpose of repealing a requirement that the District Court issue a warrant
4 or give notice of a hearing on violation of probation during the period of
5 probation; and generally relating to violation of probation proceedings in the
6 District Court.

7 BY repealing and reenacting, with amendments,
8 Article - Criminal Procedure
9 Section 6-223
10 Annotated Code of Maryland
11 (2001 Volume and 2005 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 6-223.

16 (a) The District Court may end the period of probation at any time.

17 (b) [During the period of probation, on] ON written charges under oath or on
18 violation of a condition of probation, the District Court may issue a warrant or notice
19 requiring the probationer or defendant to be brought or appear before the judge
20 issuing the warrant or notice:

21 (1) to answer the charge of violation of conditions of probation or of
22 suspension of sentence; and

23 (2) to be present for the setting of a hearing date for that charge.

24 (c) Pending the hearing or determination of the charge, the District Court
25 may remand the probationer or defendant to a correctional facility or release the
26 probationer or defendant with or without bail.

1 (d) If, at the hearing, the District Court finds that the probationer or
2 defendant has violated a condition of probation, the District Court may:

3 (1) revoke the probation granted or the suspension of sentence; and

4 (2) impose any sentence that might have originally been imposed for the
5 crime of which the probationer or defendant was convicted or pleaded nolo
6 contendere.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2006.