

~~Transportation Article or § 2-503, § 2-504, § 2-505, § 2-506, or § 3-211 of the Criminal Law Article, or has been placed on probation in accordance with this section, after being charged with a violation of § 21-902 of the Transportation Article or § 2-503, § 2-504, § 2-505, § 2-506, or § 3-211 of the Criminal Law Article;~~

~~(2) a second or subsequent controlled dangerous substance crime under Title 5 of the Criminal Law Article; or~~

~~(3) a violation of any of the provisions of §§ 3-303 through 3-307 of the Criminal Law Article for a crime involving a person under the age of 16 years.~~

~~(e) (1) By consenting to and receiving a stay of entering of the judgment as provided by subsections (b) and (c) of this section, the defendant waives the right to appeal at any time from the judgment of guilt.~~

~~(2) Before granting a stay, the court shall notify the defendant of the consequences of consenting to and receiving a stay of entry of judgment under paragraph (1) of this subsection.~~

~~(f) On violation of a condition of probation, the court may enter judgment and proceed as if the defendant had not been placed on probation.~~

~~(g) (1) On fulfillment of the conditions of probation, the court shall discharge the defendant from probation.~~

~~(2) The discharge is a final disposition of the matter.~~

~~(3) Discharge of a defendant under this section shall be without judgment of conviction and is not a conviction for the purpose of any disqualification or disability imposed by law because of conviction of a crime.~~

~~[(h) In Allegany County, Calvert County, Charles County, Garrett County, Howard County, and St. Mary's County, the THE court may impose a sentence of imprisonment as a condition of probation.]~~

~~[(i) - (H) - If an individual violates the terms of probation, any time served by the individual in custodial confinement shall be credited against any sentence of incarceration imposed by the court.~~

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

Approved May 22, 2003.