

(B) PROBATION.

NOTWITHSTANDING § 14-102 OF THIS ARTICLE OR ANY OTHER PROVISION OF LAW:

(1) EXCEPT WITH RESPECT TO A SENTENCE PRESCRIBED IN § 4-203(C)(2) OF THIS SUBTITLE FOR WEARING, CARRYING, OR TRANSPORTING A HANDGUN OTHER THAN ON PUBLIC SCHOOL PROPERTY, A COURT MAY NOT ORDER PROBATION BEFORE JUDGMENT IN A CASE ARISING UNDER THIS SUBTITLE; AND

(2) EXCEPT WITH RESPECT TO A SENTENCE PRESCRIBED IN § 4-203(C)(2) OF THIS SUBTITLE, A COURT MAY NOT ORDER PROBATION WITH RESPECT TO A CASE ARISING UNDER § 4-203 OR § 4-204 OF THIS SUBTITLE THAT WOULD HAVE THE EFFECT OF REDUCING THE ACTUAL PERIOD OF IMPRISONMENT PRESCRIBED IN § 4-203 OR § 4-204 OF THIS SUBTITLE AS A MANDATORY MINIMUM SENTENCE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 36B(e).

In subsection (a) of this section, the former reference to any other provision of law "to the contrary" is deleted as unnecessary.

In subsection (a)(1) of this section, the reference to "a case" is substituted for the former reference to "those cases" in light of Art. 1, § 8, which provides that the singular includes the plural.

In subsection (a)(1) and (2) of this section, the references to a mandatory minimum sentence under "§ 4-203 or § 4-204 of this subtitle" are substituted for the former references to a mandatory minimum sentence under "this subheading" because the only mandatory minimum sentences prescribed in the "Handguns" subheading of Article 27 are found in § 36B(b) and (d), revised as §§ 4-203 and 4-204, respectively. Similarly, in subsection (b)(2) of this section, the references to a case arising under "§ 4-203 or § 4-204 of this subtitle" are substituted for the former reference to a case arising under "this subheading".

In subsection (b)(1) of this section, the reference to "probation before judgment" is substituted for the former reference to "probation before or without verdict" for clarity.

In subsection (b)(2) of this section, the former reference to probation "after judgment" is deleted as unnecessary.

Defined term: "Handgun" § 4-201

4-206. LIMITED SEARCH, SEIZURE, AND ARREST.

(A) LIMITED SEARCH.

(1) A LAW ENFORCEMENT OFFICER MAY MAKE AN INQUIRY AND CONDUCT A LIMITED SEARCH OF A PERSON UNDER PARAGRAPH (2) OF THIS SUBSECTION IF THE OFFICER, IN LIGHT OF THE OFFICER'S OBSERVATIONS, INFORMATION, AND EXPERIENCE, REASONABLY BELIEVES THAT: