

## CHAPTER 35

(Senate Bill 115)

AN ACT to repeal and re-enact, with amendments, Section 20 of Article 52 of the Annotated Code of Maryland (1964 Replacement Volume), title "Justices of the Peace", subtitle "Criminal Jurisdiction", to authorize trial magistrates in Talbot County to grant probation without verdict in cases involving violation of the law prohibiting possession of alcoholic beverages by minors.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 20 of Article 52 of the Annotated Code of Maryland (1964 Replacement Volume), title "Justices of the Peace", subtitle "Criminal Jurisdiction", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

20.

(a) In Talbot County all trial magistrates shall have and possess the power and authority to suspend sentence or costs or both sentence and costs either generally or upon condition for a definite time, in any case within their jurisdiction, provided that such suspension is made at the trial of the case and not after judgment is pronounced; and said trial magistrate may make such orders and impose such terms as to costs, recognizance for appearance or matters relating to the residence or conduct of the defendants as may be deemed proper; and said trial magistrate may also make such orders as to the supervision of the conditions of suspension as may be deemed proper, including supervision by the State Department of Parole and Probation; provided that any such action taken shall be duly recorded on the magistrate's docket. Said trial magistrate at any time during the period of suspension or probation, and after notice to the probationer or person accused, and after full opportunity to him to be heard either in person or by counsel, may alter, enlarge, modify or change any one or more of such conditions, and may add other conditions of suspension of sentence or probation.

(b) In the event any of the conditions imposed are violated for failure of compliance with said condition, the trial magistrate may revoke the suspension and impose sentence.

(c) Where the term of office of the trial magistrate by whom the matter was originally heard has expired or where said trial magistrate has been removed from office, has died, resigned or has otherwise become incapacitated, then his successor in office shall have full power and jurisdiction to hear and determine any violation of the conditions aforesaid and to impose sentence as fully and completely as if the case was originally brought before said successor.

(d) *In the case of any person charged with a violation of Section 119(c) of Article 2B of this Code, as amended from time to time, (possession of alcoholic beverages by minors), the trial magistrates shall have the power to grant probation without verdict and to make such orders as to probation as are authorized in subsection (a) of this section.*

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1966.

Approved March 23, 1966.