

offense in the City of Baltimore [shall] *may* be prosecuted by the arrest of the offender for such offense and by holding him to appear in or committing him for trial in the Criminal Court of Baltimore, which said court shall have jurisdiction in the said cases and shall proceed to try or dispose of the same in the same manner as other criminal cases may be tried or proceeded with or disposed of, or such offenses may be prosecuted by indictment in such court; and such offense[s] in any county of this State [shall] *may* be prosecuted by the arrest of the offender for such offense and by holding him to bail to appear in or committing him for trial in the circuit court for the county in which such offense was committed, or by indictment in the circuit court for such county for such offense. If any person shall be adjudged guilty of any such offense by any court, judge or trial magistrate having jurisdiction in the premises, he shall be sentenced to the fine or penalty prescribed by such act of Assembly or ordinance and *shall be liable* for the costs of his prosecution; and in default of payment of the fine or penalty he may be committed to jail *in accordance with Section 4 of this Article* until thence discharged by due course of law. *Any undischarged fine, and any unpaid costs, may be levied and executed upon as for a judgment in a civil case.* Any indictment for the violation of any ordinance of any incorporated city or town of this State may conclude "against the form of the ordinance in such case made and provided and against the peace, government and dignity of the State."

SEC. 2. *And be it further enacted, That Section 4 of Article 38 of the Annotated Code of Maryland (1965 Replacement Volume and 1969 Supplement), be and it is hereby repealed and re-enacted, with amendments, to read as follows:*

4.

(a) *When a court (including the Circuit Court for any County, the Criminal Court of Baltimore, the Municipal Court of Baltimore City, a People's Court or Trial Magistrate) imposes a fine upon an individual, the court may direct as follows:*

(1) *that the defendant pay the entire amount of the fine at the time sentence is imposed; or*

(2) *that the defendant pay the fine in specified portions or installments at designated periodic intervals, and in such case may direct that the fine be remitted to a probation agency or officer, who shall report to the court in the event of any failure to comply with the order; or*

(3) *where the defendant is sentenced to a period of probation as well as a fine, that payment of the fine be a condition of the sentence.*

(b) *If the defendant fails to pay the fine as directed (and costs shall not constitute a part of any fine), or if he is unable to pay the fine and so represents upon application to the court, the court, after inquiring into or making such further investigation, if any, which it may deem necessary with regard to the defendant's financial and family situation and the reasons for non-payment of the fine, including whether such non-payment was contumacious or was due to indigency, may enter any order which it could have entered under subsection (a) of this section, or may reduce the fine to an amount*