

§49, transferred to Art. 27 for organizational purposes.

A new §618 of Art. 27 is proposed by the transfer of Art. 42, §18, in another section of this bill.

SECTION 10. AND BE IT FURTHER ENACTED, That a new §643A be and it is hereby added to Art. 27, Annotated Code of Maryland (1971 Repl. Vol. as added to or amended by legislation enacted at the 1973 regular session of the General Assembly), title "Crimes and Punishments", subtitle "Venue, Procedure, and Sentence", subheading "Sentence and Punishment", to read as follows:

643A.

(A) IN A CRIMINAL OR MOTOR VEHICLE CASE WITHIN THE COURT'S JURISDICTION A DISTRICT COURT JUDGE HAS THE SAME POWER AS A JUDGE OF THE CIRCUIT COURT OF A COUNTY TO IMPOSE ANY SENTENCE AUTHORIZED BY LAW, TO SUSPEND THE IMPOSITION OR EXECUTION OF A SENTENCE, TO PLACE A PERSON ON PROBATION, AND TO STRIKE OUT A SUSPENSION OF SENTENCE AND IMPOSE A LAWFUL SENTENCE, AND TO REVOKE PROBATION, SUBJECT TO THE LIMITATIONS OF SUBSECTIONS (B), (C), AND (D) OF THIS SECTION.

(B) A PERIOD OF PROBATION OR SUSPENSION OF SENTENCE MAY NOT EXCEED THREE YEARS FROM THE DATE OF SUSPENSION OR PROBATION.

(C) AT ANY TIME TO END THE PERIOD OF PROBATION, OR DURING THE PERIOD, ON WRITTEN CHARGES PREFERRED UNDER OATH, OR VIOLATION OF ANY CONDITION OF PROBATION, TO ISSUE A WARRANT OR NOTICE REQUIRING THE PROBATIONER OR PERSON ACCUSED TO BE BROUGHT OR TO APPEAR BEFORE THE JUDGE ISSUING THE WARRANT OR NOTICE, TO ANSWER THE CHARGES OF VIOLATION OF CONDITIONS OF PROBATION OR SUSPENSION OF SENTENCE, AND TO FIX A DATE FOR THE HEARING OF THE CHARGE OR VIOLATION OF THE CONDITIONS, AND PENDING THE HEARING OR DETERMINATION OF THE CHARGE, TO REMAND THE PROBATIONER OR PERSON ACCUSED TO JAIL OR TO RELEASE HIM, WITH OR WITHOUT BAIL, AND IF AT THE HEARING THE PERSON ACCUSED BE FOUND TO HAVE VIOLATED ANY OF THE TERMS OF THE CONDITIONS OF PROBATION, TO REVOKE THE PROBATION GRANTED OR SUSPENSION OF SENTENCE, AND TO IMPOSE ANY SENTENCE, TO TAKE EFFECT FROM ITS DATE, WHICH MIGHT HAVE ORIGINALLY BEEN IMPOSED FOR THE CRIME OF WHICH THE PROBATIONER OR PERSON ACCUSED WAS EITHER CONVICTED