

institute a proceeding under this subtitle in the circuit court for the county or the Criminal Court of Baltimore to set aside or correct the sentence, provided the alleged error has not been previously and finally litigated or waived in the proceedings resulting in the conviction, or in any other proceeding that the petitioner has taken to secure relief from his conviction.

SECTION 2. AND BE IT FURTHER ENACTED, That Section 4(b) of Article 27A - Public Defender, of the Annotated Code of Maryland (1976 Replacement Volume and 1976 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article 27A - Public Defender

4.

(b) Legal representation shall be provided indigent defendants in the following proceedings:

(1) In any criminal or juvenile proceeding constitutionally requiring the presence of counsel prior to presentment before a commissioner or judge.

(2) Criminal or juvenile proceedings, where the defendant is charged with a serious crime, before the District Court of Maryland, the Supreme Bench of Baltimore City, the various circuit courts within the State of Maryland, and the Court of Special Appeals.

[(3) Proceedings under the defective delinquent laws, Article 31B, Annotated Code of Maryland.]

[(4)] (3) Postconviction proceedings under Article 27, Annotated Code of Maryland.

[(5)] (4) Any other proceeding where possible incarceration pursuant to a judicial commitment of individuals in institutions of a public or private nature may result.

SECTION 3. AND BE IT FURTHER ENACTED, That Sections 204A(a) and 204C(c) of Article 41 - Governor-Executive and Administrative Departments, of the Annotated Code of Maryland (1971 Replacement Volume and 1976 Supplement) be and they are hereby repealed and reenacted, with amendments, to read as follows:

Article 41 - Governor-Executive and
Administrative Departments

204A.

(a) The following departments, agencies, boards, commissions, offices, divisions, and units of the State