

BY adding to

Article 27 - Crimes and Punishments
Section 747A
Annotated Code of Maryland
(1982 Replacement Volume and 1984 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

747A.

(A) IN THIS SECTION, "LAW ENFORCEMENT AGENCY" INCLUDES:

(1) A STATE, COUNTY, OR MUNICIPAL POLICE DEPARTMENT OR AGENCY; OR

(2) A SHERIFF'S OFFICE.

(B) (1) WHEN A DEFENDANT IS FOUND GUILTY, OR PLEADS GUILTY OR NOLO CONTENDERE TO AN OFFENSE THAT IS CRIMINAL HISTORY RECORD INFORMATION, AS DEFINED IN § 743(E) OF THIS ARTICLE, AND IS SENTENCED TO COMMITMENT IN A LOCAL CORRECTIONAL FACILITY, OR RECEIVES A SUSPENDED SENTENCE, ~~A SENTENCE OF PROBATION BEFORE JUDGMENT, A STAYED JUDGMENT, OR PROBATION OTHER THAN PROBATION PRIOR TO JUDGMENT UNDER SECTION SECTIONS 292 AND 641 OF THIS ARTICLE,~~ OR A FINE, AND THE DEFENDANT HAS NOT PREVIOUSLY BEEN FINGERPRINTED AS A RESULT OF ARREST FOR THE SENTENCED OFFENSE, THE JUDGE IMPOSING THE SENTENCE SHALL ORDER THAT THE DEFENDANT BE FINGERPRINTED BY THE APPROPRIATE AVAILABLE LAW ENFORCEMENT AGENCY.

(2) IF THE FINGERPRINTING CANNOT BE DONE IMMEDIATELY, THE JUDGE SHALL ORDER THAT THE DEFENDANT REPORT TO THE DESIGNATED LAW ENFORCEMENT AGENCY FOR FINGERPRINTING WITHIN 3 DAYS AFTER SENTENCING.

(3) IF A DEFENDANT FAILS TO REPORT AS ORDERED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE DEFENDANT SHALL BE IN CONTEMPT OF COURT.

(C) WHEN THE OFFENSE CHARGED IS ONE THAT IS DEFINED AS A "PETTY OFFENSE" BY LAW OR RULE OF COURT, THE JUDGE SHALL EXERCISE DISCRETION AS TO WHETHER THE DEFENDANT SHALL BE FINGERPRINTED UNDER SUBSECTION (B) OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 1986.

Approved May 28, 1985.
