

Approved May 27, 1988.

CHAPTER 562

(Senate Bill 189)

AN ACT concerning

Probation Before Judgment

FOR the purpose of prohibiting a court from granting a second probation before judgment on a second or subsequent violation of provisions of law relating to driving or attempting to drive while intoxicated or under the influence of drugs or alcohol or controlled dangerous substances.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section 641(a)
Annotated Code of Maryland
(1982 Replacement Volume and 1987 Supplement)

BY repealing and reenacting, without amendments,

Article - Transportation
Section 21-902
Annotated Code of Maryland
(1987 Replacement Volume)

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

Article 27 - Crimes and Punishments

641.

(a) (1) (i) Whenever a person accused of a crime pleads guilty or nolo contendere or is found guilty of an offense, a court exercising criminal jurisdiction, if satisfied that the best interests of the person and the welfare of the people of the State would be served thereby, and with the written consent of the person after determination of guilt or acceptance of a nolo contendere plea, may stay the entering of judgment, defer further proceedings, and place the person on probation subject to reasonable terms and conditions as appropriate. The terms and conditions may include ordering the person to pay a fine or pecuniary penalty to the State, or to make restitution, but