

WHEREAS, Serious offenders are likely to receive a term of imprisonment resulting in loss of employment; and

WHEREAS, It is unfair to impose additional sanctions that are not imposed on other citizens of the State on State employees for off-the-workplace offenses when there is no indication that the employee's job performance will be affected; now, therefore,

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) 1. 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 before the court orders a fine, pecuniary penalty, or restitution the person is entitled to notice and a hearing to determine the amount of the fine, pecuniary penalty, or restitution, what payment will be required, and how payment will be made. The terms and conditions also may include any type of rehabilitation program or clinic, or similar program, or the parks program or voluntary hospital program.

(c) Upon fulfillment of the terms and conditions of probation, the court shall discharge the person from probation. The discharge is final disposition of the matter. Discharge of a person under this section shall be without judgment of conviction and is not a conviction for purposes of any disqualification or disability imposed by law because of conviction of crime.

Article – State Personnel and Pensions

SUBTITLE 6. STATE SUBSTANCE ABUSE POLICY

3-601.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "SANCTION" INCLUDES ANY SUSPENSION OR OTHER DISCIPLINARY ACTION.

(C) "STATE SUBSTANCE ABUSE POLICY" MEANS THE POLICY AGAINST SUBSTANCE ABUSE IN STATE GOVERNMENT, AS SET OUT IN EXECUTIVE ORDER NUMBER .01.01.1991.16 AND ANY SUBSEQUENT EXECUTIVE ORDER.

3-602.