

(4) Notwithstanding paragraph (1) of this subsection, a court may not stay the entering of judgment and place a person on probation for a violation of any of the provisions of §§ 462 through 464B of this article for an offense involving a person under the age of 16 years.

(5) By consenting to and receiving a stay of entering of the judgment as provided by this subsection, the person waives the right to appeal from the judgment of guilt by the court at any time. Prior to the person consenting to the stay of entering of the judgment, the court shall notify the person that by consenting to and receiving a stay of entry of judgment, the person waives the right to appeal from the judgment of guilt by the court at any time.

[(b)](C) (1) Upon violation of a term or condition of probation, the court may enter judgment and proceed with disposition of the person as if the person had not been placed on probation.

(2) IF AN INDIVIDUAL VIOLATES A TERM OR CONDITION OF PROBATION, ANY TIME SERVED BY THE INDIVIDUAL IN CUSTODIAL CONFINEMENT SHALL BE CREDITED AGAINST ANY SENTENCE OF INCARCERATION IMPOSED BY THE COURT.

[(c)](D) 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.

641A.

(a) (1) IN THIS SECTION, "CUSTODIAL CONFINEMENT" MEANS:

(I) HOME DETENTION;

(II) A CORRECTIONS OPTIONS PROGRAM ESTABLISHED UNDER ~~THE CODE OR BY COUNTY ORDINANCE THAT~~ LAW WHICH REQUIRES THE INDIVIDUAL TO PARTICIPATE IN HOME DETENTION, INPATIENT TREATMENT, OR OTHER SIMILAR PROGRAM INVOLVING TERMS AND CONDITIONS THAT CONSTITUTE THE EQUIVALENT OF CONFINEMENT; OR

(III) INPATIENT DRUG OR ALCOHOL TREATMENT ~~ORDERED IN COMPLIANCE WITH TITLE 8, SUBTITLE 5 OF THE HEALTH - GENERAL ARTICLE.~~

(2) "CUSTODIAL CONFINEMENT" DOES NOT INCLUDE IMPRISONMENT.

(B) (1) Upon entering a judgment of conviction, the court having jurisdiction may suspend the imposition or execution of sentence and place the defendant on probation upon such terms and conditions as the court deems proper.

(2) In Charles County, St. Mary's County, Cecil County, Harford County, and Calvert County, the court may impose as a condition of probation a sentence of [confinement] IMPRISONMENT.

(3) AS A CONDITION OF PROBATION, THE COURT MAY ORDER A DEFENDANT TO A TERM OF CUSTODIAL CONFINEMENT.