

(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) When a defendant pleads guilty or nolo contendere or is found guilty of a crime, a court may stay the entering of judgment, defer further proceedings, and place the defendant on probation subject to reasonable conditions if:

(i) the court is satisfied that the best interests of the defendant and the public welfare would be served; and

(ii) the defendant gives written consent after determination of guilt or acceptance of a nolo contendere plea.

(2) Subject to paragraphs (3) and (4) of this subsection, the conditions may include an order that the defendant:

(i) pay a fine or monetary penalty to the State or make restitution; or

(ii) participate in a rehabilitation program, the parks program, or a voluntary hospital program.

(3) Before the court orders a fine, monetary penalty, or restitution, the defendant is entitled to notice and a hearing to determine the amount of the fine, monetary penalty, or restitution, what payment will be required, and how payment will be made.

(4) Any fine or monetary penalty imposed as a condition of probation shall be within the amount set by law for a violation resulting in conviction.

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

[(b)](C) (1) When the crime for which the judgment is being stayed is for a violation of § 21-902 of the Transportation Article, the court shall impose a period of probation and, as a condition of the probation:

(i) shall require the defendant to participate in an alcohol treatment or education program approved by the Department of Health and Mental Hygiene, unless the court finds and states on the record that the interests of the defendant and the public do not require the imposition of this condition; and