

"supervisee" is substituted for the former reference to the "defendant" for consistency within this section. Similarly, in subsection (h)(4) of this section, the defined term "supervisee" is substituted for the former reference to "person".

In subsection (f)(4) of this section, the reference to "the court" is added to state that which was only implied in the former law - authorization is given to the court to consider at a hearing the items listed in this subsection.

In subsection (g)(2) of this section, the reference to revocation "of probation" is added for clarity.

#### 6-227. EXPIRATION DATE FOR SENTENCES TO IMPRISONMENT.

##### (A) IN GENERAL.

IN SENTENCING A DEFENDANT TO IMPRISONMENT, A COURT SHALL SENTENCE THE DEFENDANT FOR A PERIOD THAT WILL EXPIRE BETWEEN THE FIRST DAY OF APRIL AND THE LAST DAY OF AUGUST IF THE COURT CONSIDERS IT EXPEDIENT TO DO SO.

##### (B) REDUCTION OF 2-YEAR SENTENCE TO 18 MONTHS.

IN SENTENCING A DEFENDANT TO IMPRISONMENT IN COMPLIANCE WITH SUBSECTION (A) OF THIS SECTION, A COURT MAY SENTENCE THE DEFENDANT TO IMPRISONMENT FOR NOT LESS THAN 18 MONTHS IF THE PUNISHMENT REQUIRED FOR THE CRIME IS AT LEAST 2 YEARS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 633 and 634.

Throughout this section, the references to "imprisonment" are substituted for the former references to "the penitentiary" to reflect the requirement under CS § 9-103 (formerly Art. 27, § 690(b) and (e)) that a judge who sentences an individual to imprisonment shall sentence the individual to the jurisdiction of the Division of Correction and not to a specific correctional institution such as the penitentiary.

In subsection (a) of this section, the phrase "a court shall" is substituted for the former phrase "[i]t shall be the duty of the court of this State" for brevity.

In subsection (b) of this section, the reference to the "crime" is substituted for the former reference to the "offense" to avoid any ambiguity that "offense" could apply to an offense other than an offense that results in a criminal conviction and to conform to terminology used in the Correctional Services Article. *See, e.g.*, CS § 4-306(c)(1)(iii).

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that the General Assembly may wish to repeal this section as obsolete.