

DEFENDANT TO BE FINGERPRINTED BY THE APPROPRIATE AND AVAILABLE LAW ENFORCEMENT UNIT WHEN THE DEFENDANT:

(I) IS FOUND GUILTY OR PLEADS GUILTY OR NOLO CONTENDERE TO A CRIME THAT IS REPORTABLE AS CRIMINAL HISTORY RECORD INFORMATION UNDER THIS SUBTITLE; AND

(II) IS SENTENCED TO COMMITMENT IN A LOCAL CORRECTIONAL FACILITY OR RECEIVES A SUSPENDED SENTENCE, PROBATION OTHER THAN PROBATION BEFORE JUDGMENT UNDER § 6-220 OF THIS ARTICLE, OR A FINE; AND

(2) IF THE DEFENDANT CANNOT BE FINGERPRINTED AT THE TIME OF SENTENCING, THE SENTENCING JUDGE SHALL ORDER THE DEFENDANT TO REPORT TO A DESIGNATED LAW ENFORCEMENT UNIT TO BE FINGERPRINTED WITHIN 3 DAYS AFTER THE DATE OF THE SENTENCING.

(C) EXCEPTION.

IF THE CRIME CHARGED IS A CRIME DEFINED BY LAW OR A RULE OF COURT AS A "PETTY OFFENSE", A SENTENCING JUDGE MAY ORDER THAT THE DEFENDANT BE FINGERPRINTED UNDER SUBSECTION (B) OF THIS SECTION.

(D) EFFECT OF FAILURE TO APPEAR.

IF A DEFENDANT FAILS TO REPORT TO THE DESIGNATED LAW ENFORCEMENT UNIT AS ORDERED UNDER SUBSECTION (B)(2) OF THIS SECTION, THE DEFENDANT IS IN CONTEMPT OF COURT.

(E) ADJUDICATION OF DELINQUENCY.

(1) THIS SUBSECTION ONLY APPLIES TO AN ADJUDICATION OF DELINQUENCY OF A CHILD:

(I) FOR AN ACT DESCRIBED IN § 3-804(E)(1) OF THE COURTS ARTICLE IF THE CHILD IS AT LEAST 14 YEARS OLD; OR

(II) FOR AN ACT DESCRIBED IN § 3-804(E)(4) OR (5) OF THE COURTS ARTICLE IF THE CHILD IS AT LEAST 16 YEARS OLD.

(2) IF A CHILD HAS NOT BEEN PREVIOUSLY FINGERPRINTED AS A RESULT OF ARREST FOR THE DELINQUENT ACT, THE COURT THAT HELD THE DISPOSITION HEARING OF THE CHILD ADJUDICATED DELINQUENT SHALL ORDER THE CHILD TO BE FINGERPRINTED BY THE APPROPRIATE AND AVAILABLE LAW ENFORCEMENT UNIT.

(3) IF THE CHILD CANNOT BE FINGERPRINTED AT THE TIME OF THE DISPOSITION HEARING HELD UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE COURT SHALL ORDER THE CHILD TO REPORT TO A DESIGNATED LAW ENFORCEMENT UNIT TO BE FINGERPRINTED WITHIN 3 DAYS AFTER MAKING A DISPOSITION ON AN ADJUDICATION OF DELINQUENCY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 747A.