

CHAPTER 287

(House Bill 233)

AN ACT concerning

Criminal Procedure - Extension of Probation - Payment of Restitution

FOR the purpose of ~~removing a requirement that a defendant must consent in writing before a court can extend the~~ authorizing a circuit court or the District Court to extend for certain periods a defendant's probation beyond a certain time period if the extension is only for making restitution; providing that a certain extension of probation may be unsupervised or supervised by the Division of Parole and Probation; altering the period beyond which a court may extend a defendant's probation for the purpose of making restitution where the defendant consents to the extension in writing; and generally relating to probation and restitution.

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 6-222

Annotated Code of Maryland

(2001 Volume and 2002 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Criminal Procedure

6-222.

(a) A circuit court or the District Court may:

(1) impose a sentence for a specified time and provide that a lesser time be served in confinement;

(2) suspend the remainder of the sentence; and

(3) order probation for a time longer than the sentence but, SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, not longer than:

(i) 5 years if the probation is ordered by a circuit court; or

(ii) 3 years if the probation is ordered by the District Court.

(b) (1) ONLY FOR THE PURPOSE OF MAKING RESTITUTION, THE COURT MAY EXTEND THE PROBATION BEYOND THE TIME ALLOWED UNDER SUBSECTION (A) OF THIS SECTION FOR:

(I) AN ADDITIONAL 5 YEARS IF THE PROBATION IS ORDERED BY A CIRCUIT COURT; OR

(II) AN ADDITIONAL 3 YEARS IF THE PROBATION IS ORDERED BY THE DISTRICT COURT.