

(5) PUBLIC SAFETY.

(C) THE COURT MAY NOT CONSIDER TRANSFERRING JURISDICTION TO THE JUVENILE COURT UNDER THIS SECTION IF:

(1) UNDER THE TERMS OF A PLEA AGREEMENT ENTERED UNDER MARYLAND RULE 4-243, THE CHILD AGREES THAT JURISDICTION IS NOT TO BE TRANSFERRED; OR

(2) PRETRIAL TRANSFER WAS PROHIBITED UNDER § 4-202(C)(1) OR (2) OF THIS SUBTITLE.

(D) (1) A VICTIM OR VICTIM'S REPRESENTATIVE SHALL BE GIVEN NOTICE OF THE TRANSFER HEARING AS PROVIDED UNDER § 11-104 OF THIS ARTICLE.

(2) (I) A VICTIM OR VICTIM'S REPRESENTATIVE MAY SUBMIT A VICTIM IMPACT STATEMENT TO THE COURT AS PROVIDED IN § 11-402 OF THIS ARTICLE.

(II) THIS PARAGRAPH DOES NOT PRECLUDE A VICTIM OR VICTIM'S REPRESENTATIVE WHO HAS NOT FILED A NOTIFICATION REQUEST FORM UNDER § 11-104 OF THIS ARTICLE FROM SUBMITTING A VICTIM IMPACT STATEMENT TO THE COURT.

(III) THE COURT SHALL CONSIDER A VICTIM IMPACT STATEMENT IN DETERMINING WHETHER TO TRANSFER JURISDICTION UNDER THIS SECTION.

(E) (1) IF THE COURT TRANSFERS ITS JURISDICTION TO THE JUVENILE COURT, THE COURT SHALL CONDUCT A DISPOSITION UNDER THE REGULAR PROCEDURES OF THE JUVENILE COURT.

(2) THE RECORD OF THE HEARING AND OF THE DISPOSITION SHALL BE TRANSFERRED TO THE JUVENILE COURT, SUBJECT TO § 3-8A-27 OF THE COURTS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved April 25, 2002.

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**CHAPTER 160**

**(Senate Bill 429)**

AN ACT concerning

**Correctional Services - Inmates - Indecent Exposure**

FOR the purpose of prohibiting an inmate from ~~willfully and intentionally~~ lewdly, lasciviously, and indecently exposing certain parts of the inmate's body to certain persons under certain circumstances; providing that certain words and phrases retain their judicially determined meanings; providing for certain