

the imposition of this condition.

(iv) Any fine or pecuniary penalty imposed as a term or condition of probation shall be within the amount prescribed by law for a violation resulting in conviction.

~~(2) (I) IN THIS PARAGRAPH "CONVICTION" INCLUDES AN ORDER OF PROBATION UNDER THIS SECTION.~~

~~(H) Notwithstanding paragraph (1) of this subsection, a court may not stay the entering of judgment and place a person on probation for a [second or subsequent] violation of any provision of § 21-902 of the Transportation Article if the [second or subsequent violation occurred within 5 years of the previous violation. A person is in violation of § 21-902 if that person receives probation under this section] PERSON HAS BEEN CONVICTED UNDER, OR HAS BEEN PLACED ON PROBATION UNDER THIS SECTION AFTER BEING CHARGED WITH A VIOLATION OF, § 21-902 OF THE TRANSPORTATION ARTICLE WITHIN 5 YEARS BEFORE THE SUBSEQUENT CONVICTION THE PRECEDING 5 YEARS.~~

(3) Notwithstanding paragraph (1) of this subsection, a court may not stay the entering of judgment and place a person on probation for a second or subsequent controlled dangerous substance offense under §§ 276 through 303 of this article.

(4) By consenting to and receiving a stay of entering of the judgment as provided by this subsection, the person waives the right to appeal from the judgment of guilt by the court at any time. Prior to the person consenting to the stay of entering of the judgment, the court shall notify the person that by consenting to and receiving a stay of entry of judgment, the person waives the right to appeal from the judgment of guilt by the court at any time.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved April 30, 1991.

CHAPTER 102

(Senate Bill 201)

AN ACT concerning

Creation of a State Debt – Baltimore County Detention Center

BCO 12-91

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~\$13,530,000~~ ~~\$12,000,000~~ \$5,000,000 the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for the construction and equipping of an expansion of the Baltimore County Detention Center and for the