

CHAPTER 450

(House Bill 179)

AN ACT concerning

Division of Parole and Probation - Presentence Reports

FOR the purpose of providing that the Division of Parole and Probation shall make a copy of certain presentence reports available to a community substance abuse treatment provider under certain circumstances.

BY repealing and reenacting, with amendments,

Article 41 - Governor - Executive and Administrative Departments

Section 4-609(b)

Annotated Code of Maryland

(1997 Replacement Volume and 1997 Supplement)

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

Article 41 - Governor - Executive and Administrative Departments

4-609.

(b) The parole and probation agents of the Division shall provide the judge of the court with presentence reports or other investigations in all cases when requested by any judge. The presentence reports are confidential and not available for public inspection except upon court order. However, presentence reports shall be made available, upon request, to the defendant's attorney, the State's Attorney, a correctional institution, a parole, [or] probation, or pretrial release official of this State, any other state, the United States, or the District of Columbia; [and] a public or private mental health facility in any of those jurisdictions, if the individual who is the subject of the report has been committed or is being evaluated for commitment to the facility for treatment as a condition of probation, AND A COMMUNITY SUBSTANCE ABUSE TREATMENT PROVIDER IN ANY OF THOSE JURISDICTIONS, IF THE INDIVIDUAL WHO IS THE SUBJECT OF THE REPORT WILL BE TREATED OR EVALUATED FOR TREATMENT BY THE PROVIDER AS A CONDITION OF PROBATION. The agents shall also perform any other probationary services the judges may from time to time request.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.

Approved May 12, 1998.