

1                   (2)    **(I)    SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR A**  
2 **TECHNICAL VIOLATION, IMPOSE A PERIOD OF INCARCERATION OF:**

3                               1.    **NOT MORE THAN 15 DAYS FOR A FIRST TECHNICAL**  
4 **VIOLATION;**

5                               2.    **NOT MORE THAN 30 DAYS FOR A SECOND TECHNICAL**  
6 **VIOLATION; AND**

7                               3.    **NOT MORE THAN 45 DAYS FOR A THIRD TECHNICAL**  
8 **VIOLATION; AND**

9                               **(II)    FOR A FOURTH OR SUBSEQUENT TECHNICAL VIOLATION OR**  
10 **A VIOLATION THAT IS NOT A TECHNICAL VIOLATION, impose any sentence that might**  
11 **have originally been imposed for the crime of which the probationer or defendant was**  
12 **convicted or pleaded nolo contendere.**

13                   **(3)    THE COURT MAY DEPART FROM THE LIMITS PROVIDED UNDER**  
14 **THIS SUBSECTION IF:**

15                               **(I)    THE COURT FINDS AND STATES ON THE RECORD:**

16                                       **1.    THAT ADHERING TO THE LIMITS WOULD CREATE A**  
17 **RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS; OR**

18                                       **2.    ~~OTHER GOOD CAUSE; OR~~**

19                               **(II)    THE COURT COMMITS THE PROBATIONER OR DEFENDANT**  
20 **TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER**  
21 **§ 8-507 OF THE HEALTH – GENERAL ARTICLE.**

22 6-224.

23           (a)    This section applies to a defendant who is convicted of a crime for which the  
24 court:

25                               (1)    does not impose a sentence;

26                               (2)    suspends the sentence generally;

27                               (3)    places the defendant on probation for a definite time; or

28                               (4)    passes another order and imposes other conditions of probation.

1 (b) If a defendant is brought before a circuit court to be sentenced on the original  
 2 charge or for violating a condition of probation, and the judge then presiding finds that the  
 3 defendant violated a condition of probation, the judge:

4 (1) **SUBJECT TO SUBSECTION (C) OF THIS SECTION**, may sentence the  
 5 defendant to:

6 (i) all or any part of the period of imprisonment imposed in the  
 7 original sentence; or

8 (ii) any sentence allowed by law, if a sentence was not imposed  
 9 before; and

10 (2) may suspend all or part of a sentence and place the defendant on  
 11 further probation on any conditions that the judge considers proper, and that do not exceed  
 12 the maximum set under § 6-222 of this subtitle.

13 (c) ~~IF (1)~~ **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF THE**  
 14 **JUDGE FINDS THAT THE DEFENDANT VIOLATED A CONDITION OF PROBATION THAT**  
 15 **IS A TECHNICAL VIOLATION, THE JUDGE MAY IMPOSE A PERIOD OF INCARCERATION**  
 16 **OF:**

17 ~~(1)~~ **(I) NOT MORE THAN 15 DAYS FOR A FIRST TECHNICAL**  
 18 **VIOLATION;**

19 ~~(2)~~ **(II) NOT MORE THAN 30 DAYS FOR A SECOND TECHNICAL**  
 20 **VIOLATION;**

21 ~~(3)~~ **(III) NOT MORE THAN 45 DAYS FOR A THIRD TECHNICAL**  
 22 **VIOLATION; AND**

23 ~~(4)~~ **(IV) ALL OR ANY PART OF THE PERIOD OF IMPRISONMENT**  
 24 **IMPOSED IN THE ORIGINAL SENTENCE FOR A FOURTH OR SUBSEQUENT TECHNICAL**  
 25 **VIOLATION.**

26 **(2) THE COURT MAY DEPART FROM THE LIMITS PROVIDED UNDER**  
 27 **THIS SUBSECTION IF:**

28 **(I) THE COURT FINDS AND STATES ON THE RECORD:**

29 **1. THAT ADHERING TO THE LIMITS WOULD CREATE A**  
 30 **RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS; OR**

31 **2. OTHER GOOD CAUSE; OR**

1                   **(II) THE COURT COMMITS THE PROBATIONER OR DEFENDANT**  
2 **TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER**  
3 **§ 8-507 OF THE HEALTH – GENERAL ARTICLE.**

4           **(D)** (1) The District Court judge who originally imposed conditions of probation  
5 or suspension of sentence shall hear any charge of violation of the conditions of probation  
6 or suspension of sentence.

7                   (2) Except as provided in paragraph (3) of this subsection, the judge shall  
8 sentence the defendant if probation is revoked or suspension stricken.

9                   (3) If the judge has been removed from office, has died or resigned, or is  
10 otherwise incapacitated, any other judge of the District Court may act in the matter.

11 **10-110.**

12           **(A) A PERSON MAY FILE A PETITION LISTING RELEVANT FACTS FOR**  
13 **EXPUNGEMENT OF A POLICE RECORD, COURT RECORD, OR OTHER RECORD**  
14 **MAINTAINED BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE IF THE**  
15 **PERSON IS CONVICTED OF A MISDEMEANOR THAT IS A VIOLATION OF:**

16                   **(1) § 6-320 OF THE ALCOHOLIC BEVERAGES ARTICLE;**

17                   **(2) AN OFFENSE LISTED IN § 17-613(A) OF THE BUSINESS**  
18 **OCCUPATIONS AND PROFESSIONS ARTICLE;**

19                   **(3) § 5-712, § 19-304, § 19-308, OR TITLE 5, SUBTITLE 6 OR**  
20 **SUBTITLE 9 OF THE BUSINESS REGULATION ARTICLE;**

21                   **(4) § 3-1508 OR § 10-402 OF THE COURTS ARTICLE;**

22                   **(5) § 14-1915, § 14-2902, OR § 14-2903 OF THE COMMERCIAL LAW**  
23 **ARTICLE;**

24                   **(6) § 5-211 OF THE CRIMINAL PROCEDURE ARTICLE;**

25                   **(7) § 3-203 OR § 3-808 OF THE CRIMINAL LAW ARTICLE;**

26                   **(8) § 5-601, § 5-618, § 5-619, § 5-620, § 5-703, § 5-708, OR § 5-902**  
27 **OF THE CRIMINAL LAW ARTICLE;**

28                   **(9) § 6-105, § 6-108, § 6-206, § 6-303, § 6-306, § 6-307, § 6-402, OR §**  
29 **6-503 OF THE CRIMINAL LAW ARTICLE;**