

CHAPTER 40

(Senate Bill 24)

AN ACT to add a new section to Article 27 of the Annotated Code of Maryland (1939 Edition), title "Crimes and Punishments", sub-title "Sentence", said new section to be known as Section 680A, and to follow immediately after Section 680 of said Article, authorizing the criminal courts of this State at any time to modify the sentences of imprisonment for failure to make payments in desertion, non-support and bastardy cases.

WHEREAS, the Court of Appeals recently held in the case of State ex rel Czaplinski v. Warden (Daily Record, October 13, 1950), that the power of a criminal court to modify sentence in criminal cases expires with the end of the term of court in which rendered; and

WHEREAS, it would be of advantage to the State to provide otherwise in the cases commonly known as non-support, desertion and bastardy cases, as the person who has been imprisoned for failure to make payments according to the judgment or order of the court could then, if it seemed desirable, be released and placed on probation in order to resume his payments; and

WHEREAS, the Criminal Court of Baltimore City prior to the case cited herein had followed a regular procedure in such cases, of suspending the balance of the sentence and placing the defendant on probation to complete his payments as ordered and has resulted in collecting thousands of dollars for the support of their families; now therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 27 of the Annotated Code of Maryland (1939 Edition), title "Crimes and Punishments", sub-title "Sentence", said new section to be known as Section 680A, to follow immediately after Section 680 of said Article, and to read as follows:*

680A. In the case of any person who has pleaded guilty or been found guilty of bastardy, desertion, non-support of wife, children or destitute parents, the Criminal Court shall have

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

~~Strike out~~ indicates matter stricken out of bill.