

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

Article - Courts and Judicial Proceedings

12-702.

(c) If a defendant who appeals from a conviction in the District Court is convicted after a trial de novo on appeal, the appellate court [may impose any sentence authorized by law to be imposed as punishment for the offense, -|-or it may impose-|- INCLUDING a sentence more severe than that imposed in the District Court -|-but only under the conditions prescribed in subsection (b)]-~~THE CONDITIONS PRESCRIBED IN SUBSECTION (B) OF THIS SECTION DO NOT APPLY TO A SENTENCE IMPOSED UNDER SUBSECTION (C).~~ MAY IMPOSE A MORE SEVERE SENTENCE THAN THAT IMPOSED IN THE DISTRICT COURT, BUT IF THE CASE IS ONE IN WHICH THE DEFENDANT WAS DENIED A JURY TRIAL UNDER § 4-302(D)(II) OF THIS ARTICLE, THE SENTENCE MAY NOT BE FOR MORE THAN 90 DAYS EXCEPT UNDER THE CONDITIONS PRESCRIBED IN SUBSECTION (B). EXCEPT AS PROVIDED ABOVE, THE APPELLATE COURT MAY IMPOSE ANY SENTENCE AUTHORIZED BY LAW TO BE IMPOSED AS PUNISHMENT FOR THE OFFENSE.

SECTION 2. AND BE IT FURTHER ENACTED, That the amendments to Section 12-702 of the Courts and Judicial Proceedings Article contained in this Act do not apply to any case in which an appeal was noted in the District Court on or before June 30, 1983.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1983.

Approved May 24, 1983.

CHAPTER 295

(Senate Bill 540)

AN ACT concerning

Courts and Judicial Proceedings - Application for Leave to Appeal Following Guilty Plea

FOR the purpose of providing that review of a final judgment entered after acceptance of a guilty plea in a ~~trial court of general jurisdiction~~ Circuit Court is reviewable only by application for leave to appeal; and limiting further review in these cases.

BY repealing and reenacting, with amendments,