

HOUSE BILL 1313

E4

8lr3138

By: **Delegates Haynes, Anderson, Conaway, Gibson, Glenn, McCray, Proctor, and Queen**

Introduced and read first time: February 9, 2018

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Local Correctional Facilities – Prerelease and Work Release Programs –**
3 **Assessment of Fees**

4 FOR the purpose of prohibiting the assessment of a certain fee to a certain person
5 participating in certain prerelease and work release programs at a local correctional
6 facility; repealing the authorization for a certain administrator of a correctional
7 facility in Anne Arundel County to charge a certain fee; repealing the authorization
8 for the Sheriff in Washington County to charge a certain fee; providing for the
9 construction of this Act; and generally relating to the assessment of fees for
10 prerelease and work release programs.

11 BY adding to
12 Article – Correctional Services
13 Section 11–604
14 Annotated Code of Maryland
15 (2017 Replacement Volume)

16 BY repealing and reenacting, without amendments,
17 Article – Correctional Services
18 Section 11–703(b) and 11–723(a)
19 Annotated Code of Maryland
20 (2017 Replacement Volume)

21 BY repealing and reenacting, with amendments,
22 Article – Correctional Services
23 Section 11–703(e)(4) and 11–723(b)(6)
24 Annotated Code of Maryland
25 (2017 Replacement Volume)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Correctional Services**

4 **11–604.**

5 (A) EXCEPT AS OTHERWISE PROVIDED BY LAW, AN INMATE PARTICIPATING
6 IN A PRERELEASE OR WORK RELEASE PROGRAM AT A LOCAL CORRECTIONAL
7 FACILITY MAY NOT BE ASSESSED A FEE FOR THE INMATE’S PARTICIPATION IN THE
8 PROGRAM.

9 (B) NOTHING IN THIS SECTION MAY BE CONSTRUED TO PROHIBIT THE
10 ASSESSMENT OF A FEE OR A DEDUCTION FROM THE INMATE’S EARNINGS FOR THE
11 COST OF:

12 (1) FOOD;

13 (2) LODGING;

14 (3) TRAVEL;

15 (4) FINES AND COSTS IMPOSED BY THE COURT;

16 (5) AMOUNTS THAT THE INMATE IS OBLIGATED TO PAY FOR SUPPORT
17 OF A DEPENDENT; OR

18 (6) COURT-ORDERED PAYMENTS FOR RESTITUTION.

19 11–703.

20 (b) This section applies only in Anne Arundel County.

21 (e) (4) (i) The Administrator or Administrator’s designee shall collect each
22 participant’s total earnings, less payroll deductions.

23 (ii) From the participant’s earnings, the Administrator or designee
24 shall pay:

25 1. voluntary or court-ordered payments for support of a
26 dependent; and

27 2. court-ordered payments for restitution.

28 (iii) [The Administrator may:

1 1. deduct a reasonable fee from the earnings of each inmate
2 participating in the program; or

3 2. waive or reduce the fee.

4 (iv)] The Administrator or designee shall:

5 1. credit to the participant's account any remaining balance;
6 and

7 2. dispose of the balance as requested by the participant and
8 as approved by the Administrator.

9 11-723.

10 (a) This section applies only in Washington County.

11 (b) (6) The Sheriff may:

12 (i) **EXCEPT FOR A FEE FOR PARTICIPATION IN A WORK**
13 **RELEASE PROGRAM**, collect a reasonable fee from each inmate participating in any
14 program established under this section; or

15 (ii) waive or reduce the fee.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2018.