

# HOUSE BILL 274

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9lr0480  
CF SB 327

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By: **Delegates Barron and Dumais**

Introduced and read first time: January 25, 2019

Assigned to: Judiciary

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Justice Reinvestment Act – Diminution Credits – Sentencing**

3 FOR the purpose of clarifying that certain changes in certain provisions of law relating to  
4 the application of diminution credits shall be construed prospectively to apply to ~~the~~  
5 ~~portion of an inmate's sentence that is originally imposed, modified, or ordered to be~~  
6 ~~served for a~~ inmates who are sentenced or committed to custody on a finding of  
7 violation of probation on or after a certain date; providing for the construction of this  
8 Act; and generally relating to diminution credits.

9 BY repealing and reenacting, with amendments,  
10 Chapter 515 of the Acts of the General Assembly of 2016  
11 Section 14

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

14 **Chapter 515 of the Acts of 2016**

15 SECTION 14. AND BE IT FURTHER ENACTED, That § 3-704, § 3-707, and §  
16 3-708 of the Correctional Services Article, as enacted by Section 2 of this Act, shall be  
17 construed prospectively to apply only to ~~inmates that~~ WHO are sentenced] ~~THE PORTION~~  
18 ~~OF AN INMATE'S SENTENCE THAT IS ORIGINALLY IMPOSED, MODIFIED, OR ORDERED~~  
19 ~~TO BE SERVED FOR A~~ OR COMMITTED TO CUSTODY ON A FINDING OF VIOLATION OF  
20 PROBATION on or after October 1, 2017.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed  
2 to:

3 (1) result in a recalculated release date for an inmate that is prior to the  
4 effective date of this Act; or

5 (2) create a cause of action for false imprisonment against the Department  
6 of Public Safety and Correctional Services or a local correctional facility.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2019.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.