

# HOUSE BILL 89

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(PRE-FILED)

11r0921  
CF 11r1821

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By: **Delegate Wilkins**

Requested: October 12, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Diminution Credits – Education**

3 FOR the purpose of awarding a diminution credit to reduce the term of confinement of an  
4 inmate if the inmate successfully obtains a certain educational certificate, diploma,  
5 or degree; establishing the diminution credit that may be awarded to certain  
6 inmates; requiring the Commissioner of Correction to establish a uniform system of  
7 deductions and participation criteria for awarding a certain diminution credit;  
8 establishing a certain exception to a certain maximum deduction that may be earned  
9 by an inmate; providing for the application of this Act; and generally relating to  
10 diminution credits.

11 BY adding to

12 Article – Correctional Services

13 Section 3–706.1

14 Annotated Code of Maryland

15 (2017 Replacement Volume and 2020 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article – Correctional Services

18 Section 3–708

19 Annotated Code of Maryland

20 (2017 Replacement Volume and 2020 Supplement)

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

23 **Article – Correctional Services**

24 **3–706.1.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(A) IN ADDITION TO ANY OTHER DEDUCTIONS ALLOWED UNDER THIS**  
2 **SUBTITLE, AS AN INCENTIVE TO REDUCE A TERM OF INCARCERATION, AN INMATE**  
3 **MAY BE ALLOWED A DEDUCTION IN ADVANCE FROM THE INMATE'S TERM OF**  
4 **CONFINEMENT IF THE INMATE SUCCESSFULLY OBTAINS:**

5                   **(1) AN INTERMEDIATE HIGH ACADEMIC CERTIFICATE;**

6                   **(2) NOT MORE THAN ONE CERTIFICATE OF COMPLETION OF A**  
7 **TECHNICAL OR VOCATIONAL TRAINING PROGRAM THAT REQUIRED AT LEAST 600**  
8 **HOURS OF COURSEWORK AND IS APPROVED BY THE SECRETARY OF LABOR AND THE**  
9 **COMMISSIONER;**

10                   **(3) A STATE HIGH SCHOOL DIPLOMA BY EXAMINATION UNDER §**  
11 **11-808 OF THE LABOR AND EMPLOYMENT ARTICLE;**

12                   **(4) A HIGH SCHOOL DIPLOMA;**

13                   **(5) AN ASSOCIATE DEGREE; OR**

14                   **(6) A BACHELOR'S DEGREE.**

15           **(B) (1) THE DEDUCTION ALLOWED UNDER SUBSECTION (A) OF THIS**  
16 **SECTION SHALL BE 90 DAYS PER PROGRAM COMPLETED.**

17                   **(2) THE DEDUCTION ALLOWED UNDER THIS SUBSECTION SHALL BE IN**  
18 **ADDITION TO ANY OTHER DEDUCTION AWARDED UNDER THIS SUBTITLE.**

19           **(C) THE COMMISSIONER SHALL ESTABLISH A UNIFORM SYSTEM OF**  
20 **DEDUCTIONS AND PARTICIPATION CRITERIA ALLOWED UNDER SUBSECTION (A) OF**  
21 **THIS SECTION.**

22 3-708.

23           **[Notwithstanding] EXCEPT AS PROVIDED IN § 3-706.1 OF THIS SUBTITLE, AND**  
24 **NOTWITHSTANDING** any other provision of this subtitle, an inmate may not be allowed a  
25 deduction under this subtitle of more than:

26                   **(1) 20 days for a calendar month for an inmate described in § 3-707(a)(2)**  
27 **of this subtitle; and**

28                   **(2) 30 days for a calendar month for all other inmates.**

29           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to**  
30 **apply only prospectively and may not be applied or interpreted to have any effect on or**

1 application to any award of diminution credit before the effective date of this Act.

2           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
3 October 1, 2021.