

SENATE BILL 397

E2
HB 812/20 – JUD

1lr1821
CF HB 89

By: **Senator Carter**

Introduced and read first time: January 15, 2021

Assigned to: Judicial Proceedings

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.**

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

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