

(PRE-FILED)

By: **Chairman, Judicial Proceedings Committee (Departmental - Public Safety and Correctional Services)**

Requested: October 23, 1997

Introduced and read first time: January 14, 1998

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Mandatory Supervision - Special Conditions**

3 FOR the purpose of requiring a person released on mandatory supervision to comply
4 with certain conditions established by a member of the Maryland Parole
5 Commission; requiring an inmate to sign a certain statement prior to being
6 released from confinement in a correctional institution; providing certain
7 exceptions; and generally relating to release on mandatory supervision.

8 BY repealing and reenacting, without amendments,
9 Article 41 - Governor - Executive and Administrative Departments
10 Section 4-501(13) and 4-612(b)
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1997 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article 41 - Governor - Executive and Administrative Departments
15 Section 4-612(a) and (c)
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 1997 Supplement)

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

20 **Article 41 - Governor - Executive and Administrative Departments**

21 4-501.

22 In the construction of this subtitle, the following definitions shall conclusively
23 determine the meaning of the terms used:

24 (13) "Mandatory supervision" is a conditional release from imprisonment
25 which is granted to any person serving a term of confinement of more than 12 months
26 who was sentenced after July 1, 1970 to the jurisdiction of the Division of Correction,

1 and who has served the term or terms, less the deductions provided for in Article 27,
2 §§ 700 and 704A of the Code. This conditional release was previously referred to as
3 "mandatory release".

4 4-612.

5 (a) (1) [A person under] EXCEPT WHERE RELEASE IS TO A DETAINER,
6 PRIOR TO RELEASE ON mandatory supervision as defined in § 4-501(13) of this title,
7 AN INMATE shall:

8 (I) [be] BE issued a written order, specifying the terms and
9 conditions which must be met, in order for the [person under mandatory supervision]
10 INMATE to serve the remainder of the term outside the confines of a correctional
11 institution; AND

12 (II) SIGN A STATEMENT AGREEING TO COMPLY WITH THE TERMS
13 AND CONDITIONS OF RELEASE AND ACKNOWLEDGING RECEIPT OF THE WRITTEN
14 ORDER.

15 (2) AN INMATE SHALL REMAIN CONFINED IN A CORRECTIONAL
16 INSTITUTION UNTIL THE INMATE SIGNS THE STATEMENT DESCRIBED IN
17 PARAGRAPH (1) OF THIS SUBSECTION.

18 [(2)] (3) If a court previously ordered a person to pay restitution as a
19 part of a sentence or as a condition of probation, the person shall be required to make
20 restitution payments while under mandatory supervision as a condition of mandatory
21 supervision.

22 (b) Each person under mandatory supervision shall be deemed to remain in
23 legal custody until the expiration of the full term.

24 (c) A person under mandatory supervision shall be subject to:

25 (1) [all] ALL laws, rules, regulations, and conditions applicable to
26 parolees; AND

27 (2) ANY SPECIAL CONDITIONS ESTABLISHED BY A PAROLE
28 COMMISSIONER.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
30 effect October 1, 1998.