

SENATE BILL 64

Unofficial Copy  
E2

1998 Regular Session  
8lr6047

(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

---

Committee Report: Favorable

Senate action: Adopted

Read second time: January 28, 1998

---

CHAPTER \_\_\_\_\_

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:

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

2 4-501.

3 In the construction of this subtitle, the following definitions shall conclusively  
4 determine the meaning of the terms used:5 (13) "Mandatory supervision" is a conditional release from imprisonment  
6 which is granted to any person serving a term of confinement of more than 12 months  
7 who was sentenced after July 1, 1970 to the jurisdiction of the Division of Correction,  
8 and who has served the term or terms, less the deductions provided for in Article 27,  
9 §§ 700 and 704A of the Code. This conditional release was previously referred to as  
10 "mandatory release".

11 4-612.

12 (a) (1) [A person under] EXCEPT WHERE RELEASE IS TO A DETAINER,  
13 PRIOR TO RELEASE ON mandatory supervision as defined in § 4-501(13) of this title,  
14 AN INMATE shall:15 (I) [be] BE issued a written order, specifying the terms and  
16 conditions which must be met, in order for the [person under mandatory supervision]  
17 INMATE to serve the remainder of the term outside the confines of a correctional  
18 institution; AND19 (II) SIGN A STATEMENT AGREEING TO COMPLY WITH THE TERMS  
20 AND CONDITIONS OF RELEASE AND ACKNOWLEDGING RECEIPT OF THE WRITTEN  
21 ORDER.22 (2) AN INMATE SHALL REMAIN CONFINED IN A CORRECTIONAL  
23 INSTITUTION UNTIL THE INMATE SIGNS THE STATEMENT DESCRIBED IN  
24 PARAGRAPH (1) OF THIS SUBSECTION.25 [(2)] (3) If a court previously ordered a person to pay restitution as a  
26 part of a sentence or as a condition of probation, the person shall be required to make  
27 restitution payments while under mandatory supervision as a condition of mandatory  
28 supervision.29 (b) Each person under mandatory supervision shall be deemed to remain in  
30 legal custody until the expiration of the full term.

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

32 (1) [all] ALL laws, rules, regulations, and conditions applicable to  
33 parolees; AND34 (2) ANY SPECIAL CONDITIONS ESTABLISHED BY A PAROLE  
35 COMMISSIONER.

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