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

Introduced and read first time: January 27, 1999

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **State Correctional Facilities - Inmates - Release on Mandatory Supervision**

3 FOR the purpose of requiring that the Division of Correction issue a certain order
4 before an inmate is released on mandatory supervision; providing that this
5 requirement does not apply in the case of an inmate who is released to a
6 detainer; establishing that an individual on mandatory supervision is subject to
7 any special conditions established by a member of the Maryland Parole
8 Commission; and generally relating to the Division of Correction, inmates, and
9 mandatory supervision.

10 BY repealing and reenacting, without amendments,
11 Article - Correctional Services
12 Section 7-101(a), (c), and (g) and 7-501
13 Annotated Code of Maryland
14 (As enacted by Chapter _____ (H.B. 11) of the Acts of the General Assembly of
15 1999)

16 BY repealing and reenacting, with amendments,
17 Article - Correctional Services
18 Section 7-502 and 7-503
19 Annotated Code of Maryland
20 (As enacted by Chapter _____ (H.B. 11) of the Acts of the General Assembly of
21 1999)

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

24 **Article - Correctional Services**

25 7-101.

26 (a) In this title the following words have the meanings indicated.

27 (c) "Commissioner" means a member of the Maryland Parole Commission.

1 (g) (1) "Mandatory supervision" means a conditional release from
2 confinement that is granted to an inmate under § 7-501 of this title.

3 (2) "Mandatory supervision" includes a conditional release granted
4 before July 1, 1989 that was referred to as "mandatory release".

5 7-501.

6 The Division of Correction shall grant a conditional release from confinement to
7 an inmate who:

8 (1) is serving a term of confinement of more than 12 months;

9 (2) was sentenced on or after July 2, 1970, to the jurisdiction of the
10 Division of Correction; and

11 (3) has served the term or terms, less diminution credit awarded under
12 Title 3, Subtitle 7 and Title 11, Subtitle 5 of this article.

13 7-502.

14 (a) An individual on mandatory supervision remains in legal custody until the
15 expiration of the individual's full term.

16 (b) An individual on mandatory supervision is subject to:

17 (1) all laws, rules, regulations, and conditions that apply to parolees;
18 AND

19 (2) ANY SPECIAL CONDITIONS ESTABLISHED BY A COMMISSIONER.

20 7-503.

21 (a) (1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
22 Division of Correction shall issue a written order BEFORE AN INMATE IS RELEASED
23 ON MANDATORY SUPERVISION that specifies the terms and conditions that must be
24 met [for an individual on mandatory supervision] BY THE INMATE IN ORDER FOR
25 THE INMATE to serve the remainder of the [individual's] INMATE'S term outside a
26 correctional facility.

27 (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IN THE CASE
28 OF AN INMATE WHO IS RELEASED TO A DETAINER.

29 (b) If a court previously ordered an individual to pay restitution as a part of a
30 sentence or as a condition of probation, the individual shall be required to make
31 restitution payments while under mandatory supervision as a condition of mandatory
32 supervision.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 1999.