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

Introduced and read first time: January 27, 1999

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 23, 1999

CHAPTER _____

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:

1

Article - Correctional Services

2 7-101.

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

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

5 (g) (1) "Mandatory supervision" means a conditional release from
6 confinement that is granted to an inmate under § 7-501 of this title.7 (2) "Mandatory supervision" includes a conditional release granted
8 before July 1, 1989 that was referred to as "mandatory release".

9 7-501.

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

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

13 (2) was sentenced on or after July 2, 1970, to the jurisdiction of the
14 Division of Correction; and15 (3) has served the term or terms, less diminution credit awarded under
16 Title 3, Subtitle 7 and Title 11, Subtitle 5 of this article.

17 7-502.

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

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

21 (1) all laws, rules, regulations, and conditions that apply to parolees;

22 AND

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

24 7-503.

25 (a) (1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
26 Division of Correction shall issue a written order BEFORE AN INMATE IS RELEASED
27 ON MANDATORY SUPERVISION that specifies the terms and conditions that must be
28 met [for an individual on mandatory supervision] BY THE INMATE IN ORDER FOR
29 THE INMATE to serve the remainder of the [individual's] INMATE'S term outside a
30 correctional facility.31 (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY IN THE CASE
32 OF AN INMATE WHO IS RELEASED TO A DETAINER.

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

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