

HOUSE BILL 325

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SB 34/98 - JPR

1999 Regular Session
9lr0979
CF 9lr0749

By: **Delegates McKee and Shank**

Introduced and read first time: February 5, 1999

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Inmates - Diminution Credits - Revocation**

3 FOR the purpose of authorizing the Division of Correction to revoke certain
4 diminution credits awarded to an inmate while the inmate was confined in a
5 local correctional facility; and generally relating to the Division of Correction
6 and diminution credits.

7 BY repealing and reenacting, with amendments,
8 Article - Correctional Services
9 Section 3-709
10 Annotated Code of Maryland
11 (As enacted by Chapter _____ (H.B. 11) of the Acts of the General Assembly of
12 1999)

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

15 **Article - Correctional Services**

16 3-709.

17 (a) [If] ACCORDING TO THE NATURE AND FREQUENCY OF THE VIOLATION, IF
18 an inmate violates the applicable rules of discipline, the Division may revoke a
19 portion or all of the diminution credits awarded:

20 (1) under §§ 3-704 (good conduct) and 3-707 (special projects) of this
21 subtitle [according to the nature and frequency of the violation]; AND

22 (2) UNDER §§ 11-503 (PRESENTENCE GOOD CONDUCT), 11-504
23 (POSTSENTENCE GOOD CONDUCT), AND 11-506 (SPECIAL SELECTED WORK PROJECTS)
24 OF THIS ARTICLE WHILE THE INMATE WAS CONFINED IN A LOCAL CORRECTIONAL
25 FACILITY.

26 (b) This section does not affect the diminution credits awarded:

1 (1) under §§ 3-705 (work tasks) and 3-706 (education) of this subtitle;
2 OR

3 (2) UNDER § 11-505 (INDUSTRIAL, AGRICULTURAL, OR ADMINISTRATIVE
4 TASKS) OF THIS ARTICLE WHILE THE INMATE WAS CONFINED IN A LOCAL
5 CORRECTIONAL FACILITY.

6 (c) (1) The Division may restore diminution credits revoked under this
7 section.

8 (2) The Commissioner shall adopt regulations governing the restoration
9 of revoked diminution credits.

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