
By: **Delegates Marriott, Anderson, Benson, Brown, Howard, Jones, Kirk,
Lee, Menes, Montgomery, Nathan-Pulliam, Paige, Patterson, Petzold,
and V. Turner**

Introduced and read first time: February 6, 2003
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services - Parole - Substance Addiction Treatment**

3 FOR the purpose of requiring that an inmate who meets certain criteria be granted
4 parole for purposes of participating in an appropriate substance addiction
5 treatment program; providing that an inmate may not be released on parole for
6 a substance addiction treatment program until there is available space in an
7 appropriate treatment program; requiring the Division of Correction to pay a
8 certain amount for the cost of an inmate's treatment in a substance addiction
9 program; providing that a person who has been convicted as a drug kingpin may
10 not be released to a substance addiction treatment program under this Act; and
11 generally relating to parole and substance addiction treatment.

12 BY adding to
13 Article - Correctional Services
14 Section 7-309
15 Annotated Code of Maryland
16 (1999 Volume and 2002 Supplement)

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

19 **Article - Correctional Services**

20 7-309.

21 (A) THIS SECTION DOES NOT APPLY TO AN INMATE CONVICTED UNDER § 5-613
22 OF THE CRIMINAL LAW ARTICLE.

23 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN INMATE WHO
24 MEETS THE CRITERIA UNDER THIS SECTION SHALL BE GRANTED PAROLE FOR
25 PURPOSES OF PARTICIPATING IN A SUBSTANCE ADDICTION TREATMENT PROGRAM
26 UNDER § 8-507 OF THE HEALTH - GENERAL ARTICLE.

1 (C) AN INMATE SHALL BE GRANTED PAROLE UNDER THIS SECTION IF THE
2 INMATE:

3 (1) IS CURRENTLY INCARCERATED FOR A NONVIOLENT CRIME OR A
4 SUBSTANCE ADDICTION RELATED PAROLE VIOLATION;

5 (2) HAS NO PRIOR CONVICTIONS FOR A VIOLENT CRIME; AND

6 (3) HAS A VERIFIED SUBSTANCE ADDICTION.

7 (D) AN INMATE MAY NOT BE RELEASED ON PAROLE UNDER THIS SECTION
8 UNTIL THERE IS AVAILABLE SPACE IN AN APPROPRIATE SUBSTANCE ADDICTION
9 TREATMENT PROGRAM.

10 (E) THE DIVISION OF CORRECTION SHALL PAY FOR THE COST OF THE
11 INMATE'S TREATMENT THE EQUIVALENT OF 50% OF THE COST OF THE INMATE'S
12 REMAINING SENTENCE IN THE FORM OF A VOUCHER TO THE SUBSTANCE ADDICTION
13 TREATMENT PROGRAM.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2003.