

SENATE BILL 365

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E4

2003 Regular Session  
3lr2131  
CF 3lr1464

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By: **Senator Miller**  
Introduced and read first time: January 31, 2003  
Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 4, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Safety - Mandatory Supervision - Diminution Credits and Sentences**

3 FOR the purpose of broadening the prohibition against awarding certain inmates  
4 certain diminution credits on a sentence to apply to inmates who are convicted  
5 and sentenced to imprisonment for any crime committed while on mandatory  
6 supervision that is later revoked; providing for the application of this Act; and  
7 generally relating to diminution credits and mandatory supervision.

8 BY repealing and reenacting, with amendments,  
9 Article - Correctional Services  
10 Section ~~3-711~~ and 7-502  
11 Annotated Code of Maryland  
12 (1999 Volume and 2002 Supplement)

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 ~~3-711.~~

17 ~~If an inmate is convicted and sentenced to imprisonment for a crime committed~~  
18 ~~while on parole OR MANDATORY SUPERVISION and the parole OR MANDATORY~~  
19 ~~SUPERVISION is revoked, diminution credits that were awarded before the inmate's~~  
20 ~~release on parole OR MANDATORY SUPERVISION may not be applied toward the~~  
21 ~~inmate's term of confinement on return to the Division.~~

1 7-502.

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

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

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

6 (2) any special conditions established by a commissioner.

7 (c) If an inmate is convicted and sentenced to imprisonment for a [violent]  
8 crime committed while on mandatory supervision and the mandatory supervision is  
9 revoked, diminution credits that were awarded before the inmate's release on  
10 mandatory supervision may not be applied toward the inmate's term of confinement  
11 on return to the Division.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
13 construed to apply only prospectively and may not be applied or interpreted to have  
14 any effect on or application to a crime committed while on mandatory supervision  
15 before the effective date of this Act.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2003.