

HOUSE BILL 193

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HB 110/03 - JUD

2004 Regular Session
4r1229

By: **Delegates Anderson, Vallario, Dumais, Gutierrez, Kelley, Lee, Marriott,
Oaks, Simmons, and Goodwin**

Introduced and read first time: January 21, 2004

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Corrections - Diminution of Confinement Credits - Controlled Dangerous**
3 **Substances Offenses**

4 FOR the purpose of increasing the number of certain diminution credits that an
5 inmate with a term of confinement that includes a sentence for certain
6 controlled dangerous substances offenses is entitled to receive under certain
7 circumstances; and generally relating to diminution of confinement credits.

8 BY repealing and reenacting, with amendments,
9 Article - Correctional Services
10 Section 3-704
11 Annotated Code of Maryland
12 (1999 Volume and 2003 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 3-704.

17 (a) An inmate shall be allowed a deduction in advance from the inmate's term
18 of confinement.

19 (b) (1) The deduction allowed under subsection (a) of this section shall be
20 calculated:

21 (i) from the first day of commitment to the custody of the
22 Commissioner through the last day of the inmate's term of confinement;

23 (ii) except as provided in paragraph (2) of this subsection, at the
24 rate of 10 days for each calendar month; and

25 (iii) on a prorated basis for any portion of a calendar month.

1 (2) If an inmate's term of confinement includes a consecutive or
2 concurrent sentence for a crime of violence as defined in § 14-101 of the Criminal Law
3 Article or a crime [of manufacturing, distributing, dispensing, or possessing a
4 controlled dangerous substance in violation of §§ 5-602 through 5-609, § 5-612,
5 UNDER § 5-608(C) OR (D), § 5-609(C) OR (D), § 5-612, or § 5-613 of the Criminal Law
6 Article, the deduction described in subsection (a) of this section shall be calculated at
7 the rate of 5 days for each calendar month.

8 (c) A deduction under this section may not be allowed for a period during
9 which an inmate does not receive credit for service of the inmate's term of
10 confinement, including a period:

11 (1) during which the inmate's sentence is stayed;

12 (2) during which the inmate is not in the custody of the Commissioner
13 because of escape; or

14 (3) for which the Maryland Parole Commission has declined to grant
15 credit after revocation of parole or mandatory supervision.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
17 effect October 1, 2004.