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By: **Delegates Kelley and Vallario**

Introduced and read first time: February 10, 2005

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Local Correctional Facilities - Diminution Credits - Good Conduct**

3 FOR the purpose of increasing the deduction that an inmate of a local correctional  
4 facility shall be allowed from the inmate's term of confinement for each month of  
5 presentence confinement during which the inmate meets certain requirements;  
6 increasing the initial deduction that a certain inmate shall be allowed from the  
7 inmate's term of confinement for each month of postsentence confinement under  
8 certain circumstances; providing for the application of this Act; and generally  
9 relating to diminution credits for inmates of local correctional facilities.

10 BY repealing and reenacting, with amendments,

11 Article - Correctional Services

12 Section 11-503 and 11-504

13 Annotated Code of Maryland

14 (1999 Volume and 2004 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Correctional Services**

18 11-503.

19 (a) An inmate shall be allowed a deduction of [5] 10 days from the inmate's  
20 term of confinement for each calendar month of presentence confinement during  
21 which the inmate:

22 (1) does not violate the rules of discipline; and

23 (2) labors with diligence and fidelity when the opportunity for labor is  
24 available.

25 (b) The deductions described in this section shall:

26 (1) begin on the day the inmate arrives at the local correctional facility;

1 (2) be made on a prorated basis for any portion of a calendar month of  
2 presentence confinement during which the inmate is committed to the local  
3 correctional facility; and

4 (3) cease on the day the inmate is:

5 (i) sentenced to a local correctional facility;

6 (ii) committed to the custody of the Commissioner of Correction; or

7 (iii) released.

8 11-504.

9 (a) An inmate who is sentenced to a local correctional facility shall be allowed  
10 an initial deduction from the inmate's term of confinement.

11 (b) The deduction described in subsection (a) of this section shall be  
12 calculated:

13 (1) from the first day of the inmate's postsentence commitment to the  
14 custody of the local correctional facility to the last day of the inmate's maximum term  
15 of confinement;

16 (2) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, at the  
17 rate of [5] 10 days for each calendar month; and

18 (3) on a prorated basis for any portion of a calendar month.

19 (C) THE DEDUCTION DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL  
20 BE CALCULATED AT THE RATE OF 5 DAYS FOR EACH CALENDAR MONTH IF AN  
21 INMATE'S TERM OF COMMITMENT INCLUDES A CONSECUTIVE OR CONCURRENT  
22 SENTENCE FOR:

23 (1) A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL  
24 LAW ARTICLE; OR

25 (2) A CHARGE INVOLVING A CONTROLLED DANGEROUS SUBSTANCE  
26 UNDER §§ 5-602 THROUGH 5-609, § 5-612, OR § 5-613 OF THE CRIMINAL LAW ARTICLE.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
28 construed to apply only prospectively and may not be applied or interpreted to have  
29 any effect on or application to any offense committed before the effective date of this  
30 Act.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2005.