

# HOUSE BILL 1195

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71r0062

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By: **Chair, Judiciary Committee (By Request - Departmental - Public Safety and Correctional Services)**

Introduced and read first time: February 21, 2007

Assigned to: Rules and Executive Nominations

Re-referred to: Judiciary, February 26, 2007

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Committee Report: Favorable

House action: Adopted

Read second time: March 19, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

3 FOR the purpose of increasing the allowed deduction each month from an inmate's  
4 term of confinement for each calendar month of presentence confinement for  
5 good conduct in a local correctional facility; increasing the allowed deduction  
6 each month from an inmate's term of confinement for each calendar month of  
7 postsentence commitment for good conduct for certain inmates in a local  
8 correctional facility; providing an exception for certain inmates whose sentence  
9 is for committing certain crimes; providing for the application of this Act; and  
10 generally relating to diminution credits for certain inmates of certain  
11 correctional facilities.

12 BY repealing and reenacting, with amendments,  
13 Article - Correctional Services  
14 Section 11-503 and 11-504  
15 Annotated Code of Maryland  
16 (1999 Volume and 2006 Supplement)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Correctional Services**

4 11–503.

5 (a) An inmate shall be allowed a deduction of [5] **10** days from the inmate’s  
6 term of confinement for each calendar month of presentence confinement during which  
7 the inmate:

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

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

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

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

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

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

18 (i) sentenced to a local correctional facility;

19 (ii) committed to the custody of the Commissioner of Correction;

20 or

21 (iii) released.

22 11–504.

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

25 (b) **(1)** The deduction described in subsection (a) of this section shall be  
26 calculated:

1            [(1) (I)        from the first day of the inmate’s postsentence commitment  
2 to the custody of the local correctional facility to the last day of the inmate’s maximum  
3 term of confinement;

4            [(2) (II)        **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
5 **SUBSECTION**, at the rate of [5] **10** days for each calendar month; and

6            [(3) (III)        on a prorated basis for any portion of a calendar month.

7            **(2) IF AN INMATE’S TERM OF CONFINEMENT INCLUDES A**  
8 **CONSECUTIVE OR CONCURRENT SENTENCE FOR A CRIME OF VIOLENCE AS**  
9 **DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE OR A CRIME OF**  
10 **MANUFACTURING, DISTRIBUTING, DISPENSING, OR POSSESSING A CONTROLLED**  
11 **DANGEROUS SUBSTANCE IN VIOLATION OF §§ 5-602 THROUGH 5-609, § 5-612,**  
12 **OR § 5-613 OF THE CRIMINAL LAW ARTICLE, THE DEDUCTION DESCRIBED IN**  
13 **PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE CALCULATED AT THE RATE**  
14 **OF 5 DAYS FOR EACH CALENDAR MONTH.**

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

19            SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2007.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.