

HOUSE BILL 619

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8lr0494

By: **Delegates McDonough, Ali, DeBoy, Elliott, Impallaria, Kipke, Krebs, Riley, and Sossi**

Introduced and read first time: February 1, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Jessica's Law Part II - Truth in Sentencing**

3 FOR the purpose of prohibiting the earning of diminution credits to reduce the term of
4 confinement of an inmate who is serving a sentence in a State or local
5 correctional facility for committing a certain sexual crime against a child under
6 a certain age; providing for the application of this Act; and generally relating to
7 the earning of diminution credits by persons serving sentences for committing
8 certain sexual crimes against children.

9 BY repealing and reenacting, with amendments,
10 Article - Correctional Services
11 Section 3-702 and 11-502
12 Annotated Code of Maryland
13 (1999 Volume and 2007 Supplement)

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

16 **Article - Correctional Services**

17 3-702.

18 (A) Subject to **SUBSECTION (B) OF THIS SECTION**, § 3-711 of this [subtitle]
19 **SUBTITLE**, and Title 7, Subtitle 5 of this article, an inmate committed to the custody
20 of the Commissioner is entitled to a diminution of the inmate's term of confinement as
21 provided under this subtitle.

22 (B) **AN INMATE WHO IS SERVING A SENTENCE FOR VIOLATION OF**
23 **§ 3-303(C), § 3-304(B), § 3-305(C), OR § 3-306(B) OF THE CRIMINAL LAW**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **ARTICLE IS NOT ENTITLED TO A DIMINUTION OF THE INMATE'S TERM OF**
2 **CONFINEMENT AS PROVIDED UNDER THIS SUBTITLE.**

3 11-502.

4 (A) [An] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN**
5 inmate who has been sentenced to a term of imprisonment shall be allowed deductions
6 from the inmate's term of confinement as provided under this subtitle for any period of
7 presentence or postsentence confinement in a local correctional facility.

8 (B) **AN INMATE WHO IS SERVING A SENTENCE FOR VIOLATION OF**
9 **§ 3-303(C), § 3-304(B), § 3-305(C), OR § 3-306(B) OF THE CRIMINAL LAW**
10 **ARTICLE MAY NOT BE ALLOWED DEDUCTIONS FROM THE INMATE'S TERM OF**
11 **CONFINEMENT AS PROVIDED UNDER THIS SUBTITLE FOR ANY PERIOD OF**
12 **PRESENTENCE OR POSTSENTENCE CONFINEMENT IN A LOCAL CORRECTIONAL**
13 **FACILITY.**

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

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2008.