

**HB0638/663721/1**

BY: Delegate McDonough

AMENDMENTS TO HOUSE BILL 638

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Crimes –” insert “Earning of Diminution Credits and”; in line 4, after the first “of” insert “prohibiting the earning of diminution credits to reduce the term of confinement of an inmate who is serving a sentence in a State or local correctional facility for committing a certain sexual crime against a child under a certain age;”; in line 9, after “supervision;” insert “providing for the application of certain provisions of this Act;”; in line 10, after “sentences” insert “and the earning of diminution credits”; and in line 18, strike “7-501” and substitute “3-702, 7-501, and 11-502”.

AMENDMENT NO. 2

On page 1, after line 27, insert:

“Article – Correctional Services

3-702.

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

**(B) AN INMATE WHO IS SERVING A SENTENCE FOR VIOLATION OF § 3-303(C), § 3-304(B), § 3-305(C), OR § 3-306(B) OF THE CRIMINAL LAW ARTICLE IS NOT ENTITLED TO A DIMINUTION OF THE INMATE’S TERM OF CONFINEMENT AS PROVIDED UNDER THIS SUBTITLE.**

(Over)

11-502.

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

AMENDMENT NO. 3

On page 4, in line 5, strike "2." and substitute "3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any offense committed before the effective date of this Act.

SECTION 4."