

# HOUSE BILL 864

E2  
HB 695/09 – JUD

01r2188

---

By: **Delegate McDonough**

Introduced and read first time: February 10, 2010

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 (2008 Replacement Volume and 2009 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 and Title 7, Subtitle 5 of this article, an inmate committed to the custody of the  
20 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 A 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 A 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, 2010.