

# HOUSE BILL 1233

E4  
SB 422/09 – JPR

0lr3007  
CF SB 170

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By: **Delegates Schuh and Smigiel**

Introduced and read first time: February 18, 2010

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Child Protection from Predators Act**

3 FOR the purpose of prohibiting the earning of diminution credits to reduce the term of  
4 confinement of a certain offender or child sexual offender committed to the  
5 custody of the Commissioner of Correction or sentenced to a term of  
6 imprisonment in a local correctional facility; providing for the application of this  
7 Act; and generally relating to the earning of diminution credits by offenders and  
8 child sexual offenders.

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 AN OFFENDER OR A CHILD SEXUAL OFFENDER,**  
23 **AS DEFINED IN § 11–701 OF THE CRIMINAL PROCEDURE ARTICLE, IS NOT**  
24 **ENTITLED TO A DIMINUTION OF THE INMATE’S TERM OF CONFINEMENT AS**  
25 **PROVIDED UNDER THIS SUBTITLE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11-502.

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

6           **(B) AN INMATE WHO IS AN OFFENDER OR A CHILD SEXUAL OFFENDER,**  
7 **AS DEFINED IN § 11-701 OF THE CRIMINAL PROCEDURE ARTICLE, MAY NOT BE**  
8 **ALLOWED DEDUCTIONS FROM THE INMATE'S TERM OF CONFINEMENT AS**  
9 **PROVIDED UNDER THIS SUBTITLE FOR ANY PERIOD OF PRESENTENCE OR**  
10 **POSTSENTENCE CONFINEMENT IN A LOCAL CORRECTIONAL FACILITY.**

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

15           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2010.