

SB0281/503529/1

BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “decreasing the number of days per month that an inmate serving a term of confinement that includes a consecutive or concurrent sentence for a crime of possession of a regulated firearm by a certain person prohibited from possessing a regulated firearm is allowed as a deduction in advance from the inmate’s term of confinement;”.

On page 3, in line 38, after “terms;” insert “making stylistic changes;” and after line 41, insert:

“BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 3–704

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 5, after line 6, insert:

“Article – Correctional Services

3–704.

(a) An inmate shall be allowed a deduction in advance from the inmate’s term of confinement.

(Over)

(b) (1) The deduction allowed under subsection (a) of this section shall be calculated:

(i) from the first day of commitment to the custody of the Commissioner through the last day of the inmate's term of confinement;

(ii) except as provided in paragraph (2) of this subsection, at the rate of 10 days for each calendar month; and

(iii) on a prorated basis for any portion of a calendar month.

[(2) If an inmate's term of confinement includes a consecutive or concurrent sentence for a crime of violence as defined in § 14-101 of the Criminal Law Article or a crime of manufacturing, distributing, dispensing, or possessing a controlled dangerous substance in violation of §§ 5-602 through 5-609, § 5-612, or § 5-613 of the Criminal Law Article, the deduction described in subsection (a) of this section shall be calculated at the rate of 5 days for each calendar month.]

(2) THE DEDUCTION DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL BE CALCULATED AT THE RATE OF 5 DAYS FOR EACH CALENDAR MONTH IF AN INMATE'S TERM OF CONFINEMENT INCLUDES A CONSECUTIVE OR CONCURRENT SENTENCE FOR:

(I) A CRIME OF VIOLENCE AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE;

(II) A CRIME OF MANUFACTURING, DISTRIBUTING, DISPENSING, OR POSSESSING A CONTROLLED DANGEROUS SUBSTANCE IN VIOLATION OF §§ 5-602 THROUGH 5-609, § 5-612, OR § 5-613 OF THE CRIMINAL LAW ARTICLE; OR

(III) A CRIME OF POSSESSING A REGULATED FIREARM BY A PERSON IN VIOLATION OF § 5-133(C) OF THE PUBLIC SAFETY ARTICLE.

(c) A deduction under this section may not be allowed for a period during which an inmate does not receive credit for service of the inmate's term of confinement, including a period:

- (1) during which the inmate's sentence is stayed;
- (2) during which the inmate is not in the custody of the Commissioner because of escape; or
- (3) for which the Maryland Parole Commission has declined to grant credit after revocation of parole or mandatory supervision.”.