

# HOUSE BILL 578

E4  
HB 1086/12 – JUD

4lr1263

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By: **Delegates Kramer, Barkley, and Fraser-Hidalgo**

Introduced and read first time: January 29, 2014

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Division of Correction – Revocation of Diminution Credits –**  
3 **Telecommunication Devices**

4 FOR the purpose of requiring the Division of Correction to revoke all of the good  
5 conduct diminution credits awarded when an inmate violates certain rules  
6 regarding a telecommunication device or knowingly possesses or receives a  
7 telecommunication device; prohibiting the Division from restoring certain  
8 revoked diminution credits; defining a certain term; and generally relating to  
9 telecommunication devices in the Division of Correction and revocation of  
10 diminution credits.

11 BY repealing and reenacting, with amendments,  
12 Article – Correctional Services  
13 Section 3–709  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2013 Supplement)

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

18 **Article – Correctional Services**

19 3–709.

20 (a) IN THIS SECTION, “TELECOMMUNICATION DEVICE” HAS THE  
21 MEANING STATED IN § 9–410 OF THE CRIMINAL LAW ARTICLE.

22 (B) (1) [If] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
23 SUBSECTION, IF an inmate violates the applicable rules of discipline, the Division  
24 may revoke a portion or all of the diminution credits awarded under §§ 3–704 (good

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 conduct) and 3-707 (special projects) of this subtitle according to the nature and  
2 frequency of the violation.

3 **(2) IF AN INMATE VIOLATES THE APPLICABLE RULES REGARDING**  
4 **A TELECOMMUNICATION DEVICE OR § 9-417 OF THE CRIMINAL LAW ARTICLE,**  
5 **THE DIVISION SHALL REVOKE ALL OF THE DIMINUTION CREDITS AWARDED**  
6 **UNDER § 3-704 (GOOD CONDUCT) OF THIS SUBTITLE.**

7 **[(b)] (C)** This section does not affect the diminution credits awarded under  
8 §§ 3-705 (work tasks) and 3-706 (education) of this subtitle.

9 **[(c)] (D) (1) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH**  
10 **(II) OF THIS PARAGRAPH, THE** Division may restore diminution credits revoked  
11 under this section.

12 **(II) THE DIVISION MAY NOT RESTORE DIMINUTION CREDITS**  
13 **REVOKED UNDER SUBSECTION (B)(2) OF THIS SECTION.**

14 (2) The Commissioner shall adopt regulations governing the  
15 restoration of revoked diminution credits.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2014.