

HOUSE BILL 294

E2
HB 295/18 – JUD

9lr1079
CF 9lr2785

By: **Delegates Wilkins, Acevero, Charkoudian, Conaway, W. Fisher, J. Lewis,
Moon, Mosby, and R. Watson**

Introduced and read first time: January 28, 2019

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Diminution Credits – Education**

3 FOR the purpose of awarding a one-time diminution credit to reduce the term of
4 confinement of an inmate if the inmate successfully obtains a certain educational
5 certificate, diploma, or degree; establishing the range for the diminution credit that
6 may be awarded; prohibiting inmates convicted of certain offenses from receiving
7 certain diminution credits; requiring the Commissioner of Correction to establish a
8 uniform system of deductions and participation criteria for awarding a certain
9 diminution credit; requiring certain diminution credits to be awarded at a certain
10 time; providing for the application of this Act; and generally relating to diminution
11 credits.

12 BY adding to

13 Article – Correctional Services

14 Section 3–706.1

15 Annotated Code of Maryland

16 (2017 Replacement Volume and 2018 Supplement)

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

19 **Article – Correctional Services**

20 **3–706.1.**

21 **(A) IN ADDITION TO ANY OTHER DEDUCTIONS ALLOWED UNDER THIS**
22 **SUBTITLE, AS AN INCENTIVE TO REDUCE A TERM OF INCARCERATION, AN INMATE**
23 **MAY BE ALLOWED A ONE-TIME DEDUCTION IN ADVANCE FROM THE INMATE’S TERM**
24 **OF CONFINEMENT IF THE INMATE SUCCESSFULLY OBTAINS:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) A CERTIFICATE OF COMPLETION OF A TECHNICAL OR**
2 **VOCATIONAL TRAINING PROGRAM APPROVED BY THE COMMISSIONER;**

3 **(2) A STATE HIGH SCHOOL DIPLOMA BY EXAMINATION UNDER §**
4 **11-808 OF THE LABOR AND EMPLOYMENT ARTICLE;**

5 **(3) A HIGH SCHOOL DIPLOMA;**

6 **(4) AN ASSOCIATE DEGREE; OR**

7 **(5) A BACHELOR'S DEGREE.**

8 **(B) (1) THE DEDUCTION ALLOWED UNDER SUBSECTION (A) OF THIS**
9 **SECTION SHALL BE NOT LESS THAN 60 DAYS AND NOT MORE THAN 730 DAYS.**

10 **(2) IF THE DEDUCTION ALLOWED UNDER THIS SUBSECTION EXCEEDS**
11 **THE LIMITATION ON THE TOTAL NUMBER OF DEDUCTIONS ALLOWED PER CALENDAR**
12 **MONTH UNDER § 3-708 OF THIS SUBTITLE, THE INMATE SHALL BE AWARDED THE**
13 **REMAINING PORTION OF THE DEDUCTION DURING THE FOLLOWING CALENDAR**
14 **MONTH.**

15 **(C) THE DEDUCTIONS ALLOWED UNDER SUBSECTION (A) OF THIS SECTION**
16 **MAY NOT APPLY IF AN INMATE'S TERM OF CONFINEMENT INCLUDES A CONSECUTIVE**
17 **OR CONCURRENT SENTENCE FOR:**

18 **(1) A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL**
19 **LAW ARTICLE;**

20 **(2) A SEXUAL OFFENSE FOR WHICH REGISTRATION IS REQUIRED**
21 **UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE; OR**

22 **(3) A CRIME OF MANUFACTURING, DISTRIBUTING, DISPENSING, OR**
23 **POSSESSING A CONTROLLED DANGEROUS SUBSTANCE IN VIOLATION OF § 5-612 OR**
24 **§ 5-613 OF THE CRIMINAL LAW ARTICLE.**

25 **(D) THE COMMISSIONER SHALL ESTABLISH A UNIFORM SYSTEM OF**
26 **DEDUCTIONS AND PARTICIPATION CRITERIA ALLOWED UNDER SUBSECTION (A) OF**
27 **THIS SECTION.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
29 apply only prospectively and may not be applied or interpreted to have any effect on or
30 application to any award of diminution credit before the effective date of this Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2019.