

Chapter 365

(House Bill 89)

AN ACT concerning

Correctional Services – Diminution Credits – Education

FOR the purpose of awarding a diminution credit to reduce the term of confinement of an inmate if the inmate successfully obtains a certain educational certificate, diploma, or degree; establishing the diminution credit that may be awarded to certain inmates; requiring the Commissioner of Correction to establish a uniform system of deductions and participation criteria for awarding a certain diminution credit; establishing a certain exception to a certain maximum deduction that may be earned by an inmate; providing for the application of this Act; and generally relating to diminution credits.

BY adding to

Article – Correctional Services
Section 3–706.1
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services
Section 3–708
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

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

Article – Correctional Services

3–706.1.

(A) IN ADDITION TO ANY OTHER DEDUCTIONS ALLOWED UNDER THIS SUBTITLE, AS AN INCENTIVE TO REDUCE A TERM OF INCARCERATION, AN INMATE MAY BE ALLOWED A DEDUCTION ~~IN ADVANCE~~ FROM THE INMATE’S TERM OF CONFINEMENT IF THE INMATE SUCCESSFULLY OBTAINS:

(1) AN INTERMEDIATE HIGH ACADEMIC CERTIFICATE;

(2) NOT MORE THAN ONE CERTIFICATE OF COMPLETION OF A TECHNICAL OR VOCATIONAL TRAINING PROGRAM THAT REQUIRED AT LEAST 600

HOURS OF COURSEWORK AND IS APPROVED BY THE SECRETARY OF LABOR AND THE COMMISSIONER;

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

(4) A HIGH SCHOOL DIPLOMA;

(5) ~~AN~~ NOT MORE THAN ONE ASSOCIATE DEGREE; OR

(6) ~~A~~ NOT MORE THAN ONE BACHELOR'S DEGREE.

(B) (1) ~~THE~~ EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE DEDUCTION ALLOWED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE ~~90~~ 60 DAYS PER PROGRAM COMPLETED.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, FOR AN INMATE WHO IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, THE DEDUCTION ALLOWED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE 40 DAYS PER PROGRAM COMPLETED.

(3) AN INMATE WHO IS SERVING A SENTENCE FOR MURDER IN THE FIRST DEGREE OR A SEXUAL OFFENSE FOR WHICH REGISTRATION UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE IS REQUIRED IS NOT ENTITLED TO A DIMINUTION OF THE INMATE'S TERM OF CONFINEMENT AS PROVIDED UNDER THIS SECTION.

~~(2)~~ (4) THE DEDUCTION ALLOWED UNDER THIS SUBSECTION SHALL BE IN ADDITION TO ANY OTHER DEDUCTION AWARDED UNDER THIS SUBTITLE.

(C) THE COMMISSIONER SHALL ESTABLISH A UNIFORM SYSTEM OF DEDUCTIONS AND PARTICIPATION CRITERIA ALLOWED UNDER SUBSECTION (A) OF THIS SECTION.

3-708.

[Notwithstanding] EXCEPT AS PROVIDED IN § 3-706.1 OF THIS SUBTITLE, AND NOTWITHSTANDING any other provision of this subtitle, an inmate may not be allowed a deduction under this subtitle of more than:

(1) 20 days for a calendar month for an inmate described in § 3-707(a)(2) of this subtitle; and

- (2) 30 days for a calendar month for all other inmates.

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

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.