

HOUSE BILL 374

E5

5lr0817

By: **Delegates Grammer, Arikan, Chisholm, Fisher, M. Morgan, Nawrocki, Szeliga, and Valentine**

Introduced and read first time: January 16, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Diminution Credits – First-Degree Murder**

3 FOR the purpose of prohibiting the earning of diminution credits to reduce the term of
4 confinement of an incarcerated individual who is serving a sentence for murder in
5 the first degree in a State or local correctional facility; and generally relating to
6 diminution credits.

7 BY repealing and reenacting, with amendments,

8 Article – Correctional Services

9 Section 3–702 and 11–502

10 Annotated Code of Maryland

11 (2017 Replacement Volume and 2024 Supplement)

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

14 **Article – Correctional Services**

15 3–702.

16 (a) Subject to subsections (b) [and], (c), **AND (D)** of this section, § 3–711 of this
17 subtitle, and Title 7, Subtitle 5 of this article, an incarcerated individual committed to the
18 custody of the Commissioner is entitled to a diminution of the incarcerated individual’s
19 term of confinement as provided under this subtitle.

20 (b) (1) Subject to paragraph (2) of this subsection, an incarcerated individual
21 who is serving a sentence for a violation of § 3–303 or § 3–304 of the Criminal Law Article
22 involving a victim who is a child under the age of 16 years, or an incarcerated individual
23 who is serving a sentence for a violation of § 3–305 or § 3–306 of the Criminal Law Article,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 as the sections existed before October 1, 2017, involving a victim who is a child under the
2 age of 16 years, is not entitled to a diminution of the incarcerated individual's term of
3 confinement as provided under this subtitle.

4 (2) An incarcerated individual who is serving a sentence for a violation of
5 § 3–303 of the Criminal Law Article that occurred on or after October 1, 2024, is not entitled
6 to a diminution of the incarcerated individual's term of confinement as provided under this
7 subtitle.

8 (c) An incarcerated individual who is serving a sentence for a violation of § 3–307
9 of the Criminal Law Article involving a victim who is a child under the age of 16 years is
10 not entitled to a diminution of the incarcerated individual's term of confinement as provided
11 under this subtitle, if the incarcerated individual was previously convicted of a violation of
12 § 3–307 of the Criminal Law Article involving a victim who is a child under the age of 16
13 years.

14 **(D) AN INCARCERATED INDIVIDUAL WHO IS SERVING A SENTENCE FOR A**
15 **VIOLATION OF § 2–201 OF THE CRIMINAL LAW ARTICLE THAT OCCURRED ON OR**
16 **AFTER OCTOBER 1, 2025, IS NOT ENTITLED TO A DIMINUTION OF THE**
17 **INCARCERATED INDIVIDUAL'S TERM OF CONFINEMENT AS PROVIDED UNDER THIS**
18 **SUBTITLE.**

19 11–502.

20 (a) Except as provided in subsections (b) [and], (c), **AND (D)** of this section, an
21 incarcerated individual who has been sentenced to a term of imprisonment shall be allowed
22 deductions from the incarcerated individual's term of confinement as provided under this
23 subtitle for any period of presentence or postsentence confinement in a local correctional
24 facility.

25 (b) (1) Subject to paragraph (2) of this subsection, an incarcerated individual
26 who is serving a sentence for a violation of § 3–303 or § 3–304 of the Criminal Law Article
27 involving a victim who is a child under the age of 16 years, or an incarcerated individual
28 who is serving a sentence for a violation of § 3–305 or § 3–306 of the Criminal Law Article,
29 as the sections existed before October 1, 2017, involving a victim who is a child under the
30 age of 16 years, may not be allowed deductions from the incarcerated individual's term of
31 confinement as provided under this subtitle for any period of presentence or postsentence
32 confinement in a local correctional facility.

33 (2) An incarcerated individual who is serving a sentence for a violation of
34 § 3–303 of the Criminal Law Article that occurred on or after October 1, 2024, may not be
35 allowed deductions from the incarcerated individual's term of confinement as provided
36 under this subtitle for any period of presentence or postsentence confinement in a local
37 correctional facility.

1 (3) This subsection may not be construed to require an incarcerated
2 individual to serve a longer sentence of confinement than is authorized by the statute under
3 which the incarcerated individual was convicted.

4 (c) (1) An incarcerated individual who is serving a sentence for a violation of
5 § 3–307 of the Criminal Law Article involving a victim who is a child under the age of 16
6 years, who has previously been convicted of violating § 3–307 of the Criminal Law Article
7 involving a victim who is a child under the age of 16 years, may not be allowed deductions
8 from the incarcerated individual’s term of confinement as provided under this subtitle for
9 any period of presentence or postsentence confinement in a local correctional facility.

10 (2) This subsection may not be construed to require an incarcerated
11 individual to serve a longer sentence of confinement than is authorized by the statute under
12 which the incarcerated individual was convicted.

13 **(D) AN INCARCERATED INDIVIDUAL WHO IS SERVING A SENTENCE FOR A**
14 **VIOLATION OF § 2–201 OF THE CRIMINAL LAW ARTICLE THAT OCCURRED ON OR**
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16 **INCARCERATED INDIVIDUAL’S TERM OF CONFINEMENT AS PROVIDED UNDER THIS**
17 **SUBTITLE.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2025.