

# HOUSE BILL 485

E5, E4, L2

5lr1236

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By: **Delegates T. Morgan, Crosby, and M. Morgan**

Introduced and read first time: January 20, 2025

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County – Corrections**

3 FOR the purpose of adding programs that the St. Mary's County Sheriff is authorized to  
4 establish; repealing a requirement that the Sheriff or the Sheriff's designee collect  
5 the earnings of a certain individual participating in a certain program; authorizing  
6 the Sheriff or the Sheriff's designee to direct an individual participating in a certain  
7 program to provide proof that the individual has made payments toward certain  
8 obligations; and generally relating to corrections in St. Mary's County.

9 BY repealing and reenacting, with amendments,  
10 Article – Correctional Services  
11 Section 11–720  
12 Annotated Code of Maryland  
13 (2017 Replacement Volume and 2024 Supplement)

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

16 **Article – Correctional Services**

17 11–720.

18 (a) This section applies only in St. Mary's County.

19 (b) (1) The Sheriff may establish:

20 (i) a home detention program;

21 **(II) A DAY REPORTING PROGRAM;**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                    [(ii)] **(III)**    a work release program;

2                    **(IV)    AN IN-PATIENT TREATMENT PROGRAM;**

3                    [(iii)] **(V)**     a pretrial release **SUPERVISION** program; and

4                    [(iv)] **(VI)**    a prerelease program.

5                    (2)    (i)     If the Sheriff establishes a program under this section, the  
6 Sheriff shall adopt regulations necessary to implement each program established.

7                    (ii)    If a condition that a court imposes on an [incarcerated]  
8 individual is inconsistent with a regulation adopted under this subsection, the condition  
9 imposed by the court controls as to that [incarcerated] individual.

10                  (c)    (1)     At the time of [sentencing] **A COURT PROCEEDING** or at any time  
11 during an individual's [confinement] **PARTICIPATION IN A PROGRAM**, the court may  
12 allow the individual to participate in any program established under this section if the  
13 individual:

14                    (i)     is [sentenced] **COURT-ORDERED** to the custody of the Sheriff;  
15 and

16                    (ii)    has no other charges for a felony or a [violation of a] crime of  
17 violence as defined in § 14–101 of the Criminal Law Article pending in any jurisdiction.

18                    (2)    An [incarcerated] individual who is participating in any program  
19 established under this section and who is [sentenced to the] **AUTHORIZED TO**  
20 **PARTICIPATE IN A St. Mary's County Detention and Rehabilitation Center PROGRAM**  
21 may [leave the detention center to], **WITH THE APPROVAL OF THE SHERIFF OR THE**  
22 **SHERIFF'S DESIGNEE:**

23                    (i)     continue regular employment;

24                    (ii)    seek new employment;

25                    (iii)   attend any court-ordered treatment appointments;

26                    (iv)    receive intensive counseling;

27                    (v)    obtain academic education; or

28                    (vi)    maximize use of other community resources or other similar  
29 rehabilitative activities.

1 (d) [(1)] The Sheriff or the Sheriff's designee [shall collect the earnings of an  
2 incarcerated individual participating in a program established under this section, less any  
3 payroll deduction required by law.

4 (2) From the earnings of the incarcerated individual, the Sheriff may  
5 deduct:

6 (i) the amount determined to be the cost to the county of providing  
7 food, lodging, clothing, and transportation for the incarcerated individual;

8 (ii) actual and necessary food, travel, and other expenses incidental  
9 to the incarcerated individual's participation in the program;] **MAY DIRECT AN  
10 INDIVIDUAL PARTICIPATING IN A PROGRAM ESTABLISHED UNDER THIS SECTION TO  
11 PROVIDE PROOF THAT THE INDIVIDUAL HAS MADE PAYMENTS TOWARD ANY OF THE  
12 FOLLOWING OBLIGATIONS:**

13 [(iii)] (1) an amount the [incarcerated] individual is legally  
14 obligated [or desires] to pay for the support of a dependent;

15 [(iv)] if applicable, a reasonable amount to repay the State or the  
16 county for an attorney appointed by the court; and]

17 [(v)] (2) court-ordered payments for restitution[.

18 (3) The Sheriff shall:

19 (i) credit to the incarcerated individual's account any remaining  
20 balance; and

21 (ii) dispose of the balance in the incarcerated individual's account as  
22 the incarcerated individual requests and the Sheriff approves]; **OR**

23 (3) **COURT-ORDERED FEES OR FINES.**

24 (e) (1) If an [incarcerated] individual violates a trust or a condition that a  
25 court or Sheriff has established for participating in any program established under this  
26 section, the Sheriff or the Sheriff's designee shall notify the court in writing of the violation.

27 (2) An [incarcerated] individual who violates a trust or a condition that a  
28 court or Sheriff has established for participating in any program established under this  
29 section is subject to:

30 (i) removal from the program; and

31 (ii) cancellation of any earned diminution of the [incarcerated]  
32 individual's term of confinement.

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