

# SENATE BILL 568

E4

2lr2594  
CF 2lr1284

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By: **Senator King**

Introduced and read first time: February 3, 2012

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Limitation on Total Number of Diminution Credits –**  
3 **Single Sentence for Crime of Violence**

4 FOR the purpose of providing that a certain provision of law limiting a certain  
5 deduction from a term of confinement that can be earned applies to a certain  
6 single sentence as well as a certain consecutive or concurrent sentence; and  
7 generally relating to diminution credits.

8 BY repealing and reenacting, without amendments,  
9 Article – Correctional Services  
10 Section 3–701  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2011 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Correctional Services  
15 Section 3–704  
16 Annotated Code of Maryland  
17 (2008 Replacement Volume and 2011 Supplement)

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

20 **Article – Correctional Services**

21 3–701.

22 In this subtitle, “term of confinement” means:

23 (1) the length of the sentence, for a single sentence; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) the period from the first day of the sentence that begins first  
2 through the last day of the sentence that ends last, for:

- 3                   (i) concurrent sentences;
- 4                   (ii) partially concurrent sentences;
- 5                   (iii) consecutive sentences; or
- 6                   (iv) a combination of concurrent and consecutive sentences.

7 3–704.

8           (a) An inmate shall be allowed a deduction in advance from the inmate’s  
9 term of confinement.

10           (b) (1) The deduction allowed under subsection (a) of this section shall be  
11 calculated:

12                   (i) from the first day of commitment to the custody of the  
13 Commissioner through the last day of the inmate’s term of confinement;

14                   (ii) except as provided in paragraph (2) of this subsection, at the  
15 rate of 10 days for each calendar month; and

16                   (iii) on a prorated basis for any portion of a calendar month.

17           (2) If an inmate’s term of confinement includes a [consecutive or  
18 concurrent] sentence for a crime of violence as defined in § 14–101 of the Criminal  
19 Law Article or a crime of manufacturing, distributing, dispensing, or possessing a  
20 controlled dangerous substance in violation of §§ 5–602 through 5–609, § 5–612, or §  
21 5–613 of the Criminal Law Article, the deduction described in subsection (a) of this  
22 section shall be calculated at the rate of 5 days for each calendar month.

23           (c) A deduction under this section may not be allowed for a period during  
24 which an inmate does not receive credit for service of the inmate’s term of  
25 confinement, including a period:

26                   (1) during which the inmate’s sentence is stayed;

27                   (2) during which the inmate is not in the custody of the Commissioner  
28 because of escape; or

29                   (3) for which the Maryland Parole Commission has declined to grant  
30 credit after revocation of parole or mandatory supervision.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2    October 1, 2012.