

SENATE BILL 327

E2

(9lr1875)

ENROLLED BILL

— Judicial Proceedings/Judiciary —

Introduced by **Senator Smith**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Justice Reinvestment Act – Diminution Credits – Sentencing**

3 FOR the purpose of clarifying that certain changes in certain provisions of law relating to
4 the application of diminution credits shall be construed prospectively to apply to ~~the~~
5 ~~portion of an inmate's sentence that is originally imposed, modified, or ordered to be~~
6 ~~served for a~~ *inmates who are sentenced or committed to custody on a finding of*
7 violation of probation on or after a certain date; providing for the construction of this
8 Act; and generally relating to diminution credits.

9 BY repealing and reenacting, with amendments,
10 Chapter 515 of the Acts of the General Assembly of 2016
11 Section 14

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Chapter 515 of the Acts of 2016

2 SECTION 14. AND BE IT FURTHER ENACTED, That § 3-704, § 3-707, and §
3 3-708 of the Correctional Services Article, as enacted by Section 2 of this Act, shall be
4 construed prospectively to apply only to inmates ~~that~~ *WHO* are sentenced] ~~THE PORTION~~
5 ~~OF AN INMATE'S SENTENCE THAT IS ORIGINALLY IMPOSED, MODIFIED, OR ORDERED~~
6 ~~TO BE SERVED FOR A~~ OR COMMITTED TO CUSTODY ON A FINDING OF VIOLATION OF
7 PROBATION on or after October 1, 2017.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed
9 to:

10 (1) result in a recalculated release date for an inmate that is prior to the
11 effective date of this Act; or

12 (2) create a cause of action for false imprisonment against the Department
13 of Public Safety and Correctional Services or a local correctional facility.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.