

HOUSE BILL 812

E2
SB 621/19 – JPR

01r2016
CF SB 922

By: **Delegates Wilkins, Acevero, Charkoudian, D.M. Davis, Feldmark, W. Fisher, Ivey, J. Lewis, Moon, and Stewart**

Introduced and read first time: February 3, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Services – Diminution Credits – Education**

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

12 BY adding to

13 Article – Correctional Services
14 Section 3–706.1
15 Annotated Code of Maryland
16 (2017 Replacement Volume and 2019 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Correctional Services
19 Section 3–708
20 Annotated Code of Maryland
21 (2017 Replacement Volume and 2019 Supplement)

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

24 **Article – Correctional Services**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **3-706.1.**

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

6 (1) AN INTERMEDIATE HIGH ACADEMIC CERTIFICATE;

7 (2) NOT MORE THAN ONE CERTIFICATE OF COMPLETION OF A
8 TECHNICAL OR VOCATIONAL TRAINING PROGRAM THAT REQUIRED AT LEAST 600
9 HOURS OF COURSEWORK AND IS APPROVED BY THE SECRETARY OF LABOR AND THE
10 COMMISSIONER;

11 (3) A STATE HIGH SCHOOL DIPLOMA BY EXAMINATION UNDER §
12 11-808 OF THE LABOR AND EMPLOYMENT ARTICLE;

13 (4) A HIGH SCHOOL DIPLOMA;

14 (5) AN ASSOCIATE DEGREE; OR

15 (6) A BACHELOR'S DEGREE.

16 (B) (1) THE DEDUCTION ALLOWED UNDER SUBSECTION (A) OF THIS
17 SECTION SHALL BE 90 DAYS PER PROGRAM COMPLETED.

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

20 (C) AN INMATE WHO IS SERVING A SENTENCE FOR A SEXUAL OFFENSE FOR
21 WHICH REGISTRATION UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL
22 PROCEDURE ARTICLE IS REQUIRED IS NOT ENTITLED TO A DIMINUTION OF THE
23 INMATE'S TERM OF CONFINEMENT AS PROVIDED UNDER THIS SECTION.

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

27 **3-708.**

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

31 (1) 20 days for a calendar month for an inmate described in § 3-707(a)(2)

1 of this subtitle; and

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

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

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2020.