

SENATE BILL 260

E5

(PRE-FILED)

4r0121
CF HB 123

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

Requested: September 12, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Division of Parole and Probation – Criteria for Earned Compliance Credit –**
3 **Exception for Supervision Fees**

4 FOR the purpose of altering a certain condition regarding the payment of certain
5 restitution, fines, and fees that a certain supervised individual must satisfy to accrue
6 certain earned compliance credit while under the supervision of the Division of
7 Parole and Probation in the Department of Public Safety and Correctional Services;
8 and generally relating to individuals under the supervision of the Division of Parole
9 and Probation.

10 BY repealing and reenacting, without amendments,
11 Article – Correctional Services
12 Section 6–117(a)(1) and (4) and 7–702(a), (b), and (c)(1)
13 Annotated Code of Maryland
14 (2017 Replacement Volume and 2023 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Correctional Services
17 Section 6–117(a)(3)
18 Annotated Code of Maryland
19 (2017 Replacement Volume and 2023 Supplement)

20 BY repealing and reenacting, without amendments,
21 Article – Criminal Procedure
22 Section 6–226(a), (b), and (c)(1)
23 Annotated Code of Maryland
24 (2018 Replacement Volume and 2023 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Correctional Services**

4 6–117.

5 (a) (1) In this section the following words have the meanings indicated.

6 (3) “Earned compliance credit” means a 20–day reduction from the period
7 of active supervision of the supervised individual for every month that a supervised
8 individual:

9 (i) exhibits compliance with the conditions and goals of the
10 supervised individual’s probation, parole, or mandatory release supervision, as determined
11 by the Department;

12 (ii) has no new arrests;

13 (iii) has not violated any conditions of no contact imposed on the
14 supervised individual;

15 (iv) **EXCEPT FOR A MONTHLY SUPERVISION FEE IMPOSED**
16 **UNDER § 7–702 OF THIS ARTICLE OR § 6–226 OF THE CRIMINAL PROCEDURE**
17 **ARTICLE**, is current on court ordered payments for restitution, fines, and fees relating to
18 the offense for which earned compliance credits are being accrued; and

19 (v) is current in completing any community supervision
20 requirements included in the conditions of the supervised individual’s probation, parole, or
21 mandatory release supervision.

22 (4) (i) “Supervised individual” means an individual placed on probation
23 by a court or serving a period of parole or mandatory release supervision after release from
24 a correctional facility.

25 (ii) “Supervised individual” does not include:

26 1. a person incarcerated, on probation, or convicted in this
27 State for a crime of violence;

28 2. a person incarcerated, on probation, or convicted in this
29 State for a crime under Title 3, Subtitle 3 of the Criminal Law Article;

30 3. a person incarcerated, on probation, or convicted in this
31 State for a violation of § 2–503, §§ 5–612 through 5–614, § 5–627, or § 5–628 of the Criminal
32 Law Article;

1 4. a person registered or eligible for registration under Title
2 11, Subtitle 7 of the Criminal Procedure Article;

3 5. a person who was convicted in any other jurisdiction of a
4 crime and the person’s supervision was transferred to this State; or

5 6. a person who was convicted in this State of a crime and
6 the person’s supervision was transferred to another state.

7 7–702.

8 (a) In this section, “supervisee” means an individual supervised by the Division
9 of Parole and Probation for the Commission.

10 (b) Unless a supervisee is exempted by the Commission under subsection (d) of
11 this section, the Commission shall assess a monthly fee of \$50 as a condition of supervision
12 for each supervisee.

13 (c) (1) The fee assessed under subsection (b) of this section shall be paid to the
14 Division of Parole and Probation.

15 **Article – Criminal Procedure**

16 6–226.

17 (a) In this section, “supervisee” means a person that the court places under the
18 supervision of the Division of Parole and Probation.

19 (b) Unless the supervisee is exempt under subsection (d) of this section, the court
20 shall impose a monthly fee of \$50 on a supervisee.

21 (c) (1) The fee imposed under this section shall be paid to the Division of
22 Parole and Probation.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2024.