

Chapter 98

(Senate Bill 260)

AN ACT concerning

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

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

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

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

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

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

Article – Correctional Services

6–117.

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

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

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

(ii) has no new arrests;

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

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

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

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

(ii) "Supervised individual" does not include:

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

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

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

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

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

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

7-702.

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

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

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

Article – Criminal Procedure

6–226.

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

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

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

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

Approved by the Governor, April 9, 2024.