

HOUSE BILL 852

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2lr0520

By: **Delegate Conaway**

Introduced and read first time: February 9, 2012

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2012

CHAPTER _____

1 AN ACT concerning

2 **Correctional Services – Division of Correction – Length of Sentence**

3 FOR the purpose of altering a certain provision of law so as to prohibit a judge from
4 sentencing an individual to the jurisdiction of the Division of Correction for 12
5 months or less unless the individual is an inmate under the jurisdiction of the
6 Division of Correction; and generally relating to criminal sentencing.

7 BY repealing and reenacting, with amendments,
8 Article – Correctional Services
9 Section 9–104
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2011 Supplement)

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

14 **Article – Correctional Services**

15 9–104.

16 (a) This section does not apply to an individual sentenced in Baltimore City.

17 (b) Notwithstanding any other law, a judge may not sentence an individual
18 to the jurisdiction of the Division for 12 months or less unless[:

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.



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1 (1) the sentence is for an offense committed by an inmate in a
2 correctional facility under the jurisdiction of the Division; and

3 (2) the **INDIVIDUAL IS AN** inmate [is still] under the jurisdiction of
4 the Division.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.