

# SENATE BILL 669

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2lr2605  
CF 2lr1288

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By: **Senator Shank**

Introduced and read first time: February 3, 2012

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Division of Correction – Revocation of Diminution Credits –**  
3 **Telecommunication Devices**

4 FOR the purpose of requiring the Division of Correction to revoke all of the good  
5 conduct and special projects diminution credits awarded when an inmate  
6 violates certain rules regarding a telecommunication device or knowingly  
7 possesses or receives a telecommunication device; prohibiting the Division from  
8 restoring certain revoked diminution credits; defining a certain term; and  
9 generally relating to telecommunication devices in the Division of Correction  
10 and revocation of diminution credits.

11 BY repealing and reenacting, with amendments,  
12 Article – Correctional Services  
13 Section 3–709  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2011 Supplement)

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

18 **Article – Correctional Services**

19 3–709.

20 (a) IN THIS SECTION, “TELECOMMUNICATION DEVICE” HAS THE  
21 MEANING STATED IN § 9–410 OF THE CRIMINAL LAW ARTICLE.

22 (B) (1) [If] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
23 SUBSECTION, IF an inmate violates the applicable rules of discipline, the Division  
24 may revoke a portion or all of the diminution credits awarded under §§ 3–704 (good

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 conduct) and 3-707 (special projects) of this subtitle according to the nature and  
2 frequency of the violation.

3 **(2) IF AN INMATE VIOLATES THE APPLICABLE RULES REGARDING**  
4 **A TELECOMMUNICATION DEVICE OR § 9-417 OF THE CRIMINAL LAW ARTICLE,**  
5 **THE DIVISION SHALL REVOKE ALL OF THE DIMINUTION CREDITS AWARDED**  
6 **UNDER §§ 3-704 (GOOD CONDUCT) AND 3-707 (SPECIAL PROJECTS) OF THIS**  
7 **SUBTITLE.**

8 **[(b)] (C)** This section does not affect the diminution credits awarded under  
9 §§ 3-705 (work tasks) and 3-706 (education) of this subtitle.

10 **[(c)] (D) (1) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH**  
11 **(II) OF THIS PARAGRAPH, THE** Division may restore diminution credits revoked  
12 under this section.

13 **(II) THE DIVISION MAY NOT RESTORE DIMINUTION CREDITS**  
14 **REVOKED UNDER SUBSECTION (B)(2) OF THIS SECTION.**

15 (2) The Commissioner shall adopt regulations governing the  
16 restoration of revoked diminution credits.

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