

CHAPTER 551

(House Bill 260)

AN ACT concerning

**Crimes and Punishments – Minimum Sentences in the Division of Correction –
Exceptions**

FOR the purpose of permitting a judge to sentence an individual to the jurisdiction of the Division of Correction for less than a certain time period, rather than to a local detention center, if the sentence is for an offense committed by the individual while an inmate in a facility under the jurisdiction of the Division of Correction and the individual is still under the jurisdiction of the Division of Correction.

BY repealing and reenacting, with amendments,

Article 27 – Crimes and Punishments

Section 690(c)

Annotated Code of Maryland

(1987 Replacement Volume and 1989 Supplement)

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

Article 27 – Crimes and Punishments

690.

(c) (1) Notwithstanding any provision of this article or any other law to the contrary, and except as provided in paragraph (2) of this subsection, a sentence by any judge to the jurisdiction of the Division shall comply with the following stipulations:

(i) As of January 1, 1987, no sentence shall be 6 months or less;

(ii) As of January 1, 1988, no sentence shall be for less than 12 months; and

(iii) As of January 1, 1989, no sentence shall be 12 months or less.

(2) (I) If a county or Baltimore City has made application to the Secretary of Public Safety and Correctional Services for financial assistance for the construction or enlargement of a detention center under § 705(e) of this article, a sentence by any judge of more than 6 months may be to the Division until the new or enlarged detention center is complete and operational.

(II) A JUDGE MAY SENTENCE AN INDIVIDUAL TO THE JURISDICTION OF THE DIVISION FOR 12 MONTHS OR LESS IF THE SENTENCE IS FOR AN OFFENSE COMMITTED BY THE INDIVIDUAL WHILE AN INMATE IN A FACILITY UNDER THE JURISDICTION OF THE DIVISION