

"work release" program; requiring the Department of Correction to deduct a certain amount ordered as restitution from the prisoner's earnings; and correcting certain language.

BY repealing and re-enacting, with amendments,

Article 27 - Crimes and Punishments
Section 637 and 700A(d)
Annotated Code of Maryland
(1971 Replacement Volume and 1974 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Sections 637 and 700A(d) of Article 27 - Crimes and Punishments, of the Annotated Code of Maryland (1971 Replacement Volume and 1974 Supplement) be and they are hereby repealed and re-enacted, with amendments, to read as follows:

Article 27 - Crimes and Punishments

637.

In all cases where restitution or reparation is adjudged to be made to the party injured and immediate restitution or reparation is not fully made, the court before whom the offender is convicted shall[, at the instance of the party injured,] EITHER issue execution against the property of [such] THE convicted person in the name of the person injured for the value of the property taken, or so much thereof as is not restored, [such] THE value to be estimated by the [said] court, OR ORDER RESTITUTION IN AN AMOUNT NOT TO EXCEED 20 PERCENT OF ANY EARNINGS LESS OTHER DEDUCTIONS REQUIRED BY LAW TO BE PAID OUT OF ANY FUNDS EARNED BY THE DEFENDANT UNDER A "WORK RELEASE" PLAN. [; but nothing herein contained shall be construed to] THE PROVISIONS OF THIS SECTION MAY NOT deprive the party injured from having and maintaining a civil action against [such] THE offender, either before or after conviction, or against any other person, for the recovery of the money received or property taken, or the value thereof.

700A.

(d) A prisoner employed in the community under a "work release" plan shall surrender to the Department of Correction his total earnings, less payroll deductions required by law. The Department shall deduct from such earnings, in the following order of priority, an amount determined to be the cost to the State of providing food,