

approve an inmate for participation in the home detention program; making a technical correction; and generally relating to the home detention program.

BY repealing and reenacting, with amendments,

Article 27 – Crimes and Punishments

Section 689A(b), (d), and (e)

Annotated Code of Maryland

(1992 Replacement Volume and 1995 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**

689A.

(b) With the approval of the Secretary, the Commissioner may establish a home detention program under which inmates committed to the custody of the Commissioner may be permitted to live in a private dwelling approved by the Commissioner OR THE COMMISSIONER'S DESIGNEE.

(d) An inmate is not eligible for the program if the inmate:

(1) Is serving a life sentence;

(2) Has been found guilty of a crime of violence as defined in § 643B of this subheading unless:

(i) 5 years have elapsed since expiration of sentence for the crime of violence; or

(ii) The inmate is within 90 days of release on parole or mandatory supervision; and

(3) Has been found guilty of the crime of:

(i) Child abuse under [§ 35A] § 35C of this article; or

(ii) Escape under § 139 of this article.

(e) An inmate may be placed on the program only:

(1) If the inmate agrees to waive the inmate's right to contest extradition;

(2) With the approval of the Commissioner OR THE COMMISSIONER'S DESIGNEE; and

(3) After the inmate has served any statutorily imposed minimum sentence, less the allowances for diminution of confinement provided for in §§ 638C and 700 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.