

confinement" are added to state expressly that which was only implied in the former law, *i.e.*, an inmate is allowed deductions under this section only for time served in presentence confinement. No substantive change is intended.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the standard for good conduct that is established in subsection (a) of this section for presentence confinement is different than the standard for good conduct that is established in § 11-504 of this subtitle for postsentence confinement. Under subsection (a) of this section, an inmate is allowed a deduction of 5 days from the inmate's term of confinement for each calendar month of presentence confinement during which the inmate: (1) does not violate the rules of discipline; and (2) labors with diligence and fidelity when the opportunity for labor is available. Under § 11-504 of this subtitle, an inmate is allowed an initial deduction from the inmate's term of confinement that is calculated at a rate of 5 days for each calendar month of postsentence confinement. The deductions that are allowed under § 11-504 of this subtitle may be revoked only if the inmate violates the rules of discipline. See § 11-507 of this subtitle. There is no statutory authority for revoking the deductions that are allowed under § 11-504 for failure to "[labor] with diligence and fidelity when the opportunity for labor is available". The General Assembly may wish to amend one or both of these sections to make the standard for good conduct the same for both presentence and postsentence confinement.

In subsection (b)(3) of this section, the reference to deductions ceasing on the day that the inmate is "sentenced to a local correctional facility" is added to state expressly that which was only implied in the former law and for consistency with § 11-504 of this subtitle. An inmate is allowed deductions for good conduct under this section only for time served in presentence confinement. An inmate is allowed deductions for good conduct under § 11-504 of this subtitle for time served in postsentence confinement. No substantive change is intended.

Defined terms: "Commissioner of Correction" § 1-101

"Inmate" § 1-101

"Local correctional facility" § 1-101

11-504. SAME — POSTSENTENCE CONFINEMENT — GOOD CONDUCT.

(A) IN GENERAL.

AN INMATE WHO IS SENTENCED TO A LOCAL CORRECTIONAL FACILITY SHALL BE ALLOWED AN INITIAL DEDUCTION FROM THE INMATE'S TERM OF CONFINEMENT.

(B) METHOD OF CALCULATION.

THE DEDUCTION DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL BE CALCULATED: