

Article - Correctional Services

3-711.

~~If an inmate is convicted and sentenced to imprisonment for a crime committed while on parole OR MANDATORY SUPERVISION and the parole OR MANDATORY SUPERVISION is revoked, diminution credits that were awarded before the inmate's release on parole OR MANDATORY SUPERVISION may not be applied toward the inmate's term of confinement on return to the Division.~~

7-502.

(a) An individual on mandatory supervision remains in legal custody until the expiration of the individual's full term.

(b) An individual on mandatory supervision is subject to:

(1) all laws, rules, regulations, and conditions that apply to parolees; and

(2) any special conditions established by a commissioner.

(C) IF AN INMATE IS CONVICTED AND SENTENCED TO IMPRISONMENT FOR A VIOLENT CRIME COMMITTED WHILE ON MANDATORY SUPERVISION AND THE MANDATORY SUPERVISION IS REVOKED, DIMINUTION CREDITS THAT WERE AWARDED BEFORE THE INMATE'S RELEASE ON MANDATORY SUPERVISION MAY NOT BE APPLIED TOWARD THE INMATE'S TERM OF CONFINEMENT ON RETURN TO THE DIVISION.

7-504.

(a) ~~(1)~~ IN THIS SECTION, "TERM OF CONFINEMENT" HAS THE MEANING STATED IN § 3-701 OF THIS ARTICLE.

~~(2)~~ (B) (1) The commissioner presiding at an individual's mandatory supervision revocation hearing may revoke any or all of the diminution credits previously earned by the individual on the individual's term of confinement.

~~(2)~~ (2) NOTHING IN THIS SUBSECTION SECTION AFFECTS THE PROHIBITION AGAINST THE APPLICATION OF DIMINUTION CREDITS UNDER § 3-711 § 7-502 OF THIS ARTICLE SUBTITLE TO THE TERM OF CONFINEMENT OF AN INMATE CONVICTED AND SENTENCED TO IMPRISONMENT FOR A CRIME COMMITTED WHILE ON MANDATORY SUPERVISION.

~~(b) (C) An~~ AFTER AN INMATE'S MANDATORY SUPERVISION HAS BEEN REVOKED, THE inmate may not be awarded any new diminution credits ON A SENTENCE after the inmate's mandatory supervision has been revoked IF THE SENTENCE WAS ONE FOR WHICH THE INMATE WAS AWARDED DIMINUTION CREDITS BEFORE THE INMATE WAS RELEASED THE TERM OF CONFINEMENT FOR WHICH THE INMATE WAS ON MANDATORY SUPERVISION.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that this Act shall be construed to be consistent with the ruling of the Court of Appeals of Maryland in Public Safety v. Hutchinson, 359 Md. 320 (2000),