

HOUSE BILL 528

E4
HB 504/11 – JUD

2lr2416
CF SB 398

By: **Delegates Dumais, Kramer, Arora, Barkley, Barve, Carr, Cullison, Feldman, Frick, Gilchrist, Gutierrez, Hixson, Hucker, Kaiser, A. Kelly, K. Kelly, Lee, Luedtke, A. Miller, Reznik, S. Robinson, Simmons, Waldstreicher, and Zucker**

Introduced and read first time: February 3, 2012

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Local Correctional Facilities – Sentenced Inmates**

3 FOR the purpose of altering the circumstances under which a judge may sentence an
4 individual to a local correctional facility; prohibiting a judge from sentencing an
5 individual to a local correctional facility for a period exceeding a certain amount
6 of time; and generally relating to the sentencing of inmates to a local
7 correctional facility.

8 BY repealing and reenacting, with amendments,
9 Article – Correctional Services
10 Section 9–105
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2011 Supplement)

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

15 **Article – Correctional Services**

16 9–105.

17 **(A)** Notwithstanding any other law, a judge may sentence an individual to a
18 local correctional facility if:

19 (1) the sentence to be then executed is for a period of not more than
20 **[18] 12** months; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) the judge imposing the sentence is in a jurisdiction that is a party
2 to the operation and maintenance of the local correctional facility to which the
3 individual is sentenced.

4 **(B) A JUDGE MAY NOT SENTENCE AN INDIVIDUAL TO A LOCAL**
5 **CORRECTIONAL FACILITY FOR A PERIOD EXCEEDING 12 MONTHS.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2012.