

HOUSE BILL 485

E5, E4, L2

5lr1236

By: ~~Delegates T. Morgan, Crosby, and M. Morgan~~ St. Mary's County Delegation

Introduced and read first time: January 20, 2025

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2025

CHAPTER _____

1 AN ACT concerning

2 **St. Mary's County – Corrections**

3 FOR the purpose of adding programs that the St. Mary's County Sheriff is authorized to
4 establish; repealing a requirement that the Sheriff or the Sheriff's designee collect
5 the earnings of a certain individual participating in a certain program; authorizing
6 the Sheriff or the Sheriff's designee to direct an individual participating in a certain
7 program to provide proof that the individual has made payments toward certain
8 obligations; and generally relating to corrections in St. Mary's County.

9 BY repealing and reenacting, with amendments,
10 Article – Correctional Services
11 Section 11–720
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2024 Supplement)

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

16 **Article – Correctional Services**

17 11–720.

18 (a) This section applies only in St. Mary's County.

19 (b) (1) The Sheriff may establish:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(i) a home detention program;

(II) A DAY REPORTING PROGRAM;

~~[(ii)] (III)~~ a work release program;

(IV) AN IN-PATIENT TREATMENT PROGRAM;

~~[(iii)] (V)~~ a pretrial release **SUPERVISION** program; and

~~[(iv)] (VI)~~ a prerelease program.

(2) (i) If the Sheriff establishes a program under this section, the Sheriff shall adopt regulations necessary to implement each program established.

(ii) If a condition that a court imposes on an **[incarcerated]** individual is inconsistent with a regulation adopted under this subsection, the condition imposed by the court controls as to that **[incarcerated]** individual.

(c) (1) At the time of **[sentencing]** **A COURT PROCEEDING** or at any time during an individual's **[confinement]** **PARTICIPATION IN A PROGRAM**, the court may allow the individual to participate in any program established under this section if the individual:

(i) is **[sentenced]** **COURT-ORDERED** to the custody of the Sheriff; and

(ii) has no other charges for a felony or a **[violation of a]** crime of violence as defined in § 14–101 of the Criminal Law Article pending in any jurisdiction.

(2) An **[incarcerated]** individual who is participating in any program established under this section and who is **[sentenced to the]** **AUTHORIZED TO PARTICIPATE IN A St. Mary's County Detention and Rehabilitation Center PROGRAM** may **[leave the detention center to]**, **WITH THE APPROVAL OF THE SHERIFF OR THE SHERIFF'S DESIGNEE:**

(i) continue regular employment;

(ii) seek new employment;

(iii) attend any court-ordered treatment appointments;

(iv) receive intensive counseling;

(v) obtain academic education; or

(vi) maximize use of other community resources or other similar rehabilitative activities.

(d) [(1)] The Sheriff or the Sheriff's designee [shall collect the earnings of an incarcerated individual participating in a program established under this section, less any payroll deduction required by law.

(2) From the earnings of the incarcerated individual, the Sheriff may deduct:

(i) the amount determined to be the cost to the county of providing food, lodging, clothing, and transportation for the incarcerated individual;

(ii) actual and necessary food, travel, and other expenses incidental to the incarcerated individual's participation in the program;] **MAY DIRECT AN INDIVIDUAL PARTICIPATING IN A PROGRAM ESTABLISHED UNDER THIS SECTION TO PROVIDE PROOF THAT THE INDIVIDUAL HAS MADE PAYMENTS TOWARD ANY OF THE FOLLOWING OBLIGATIONS:**

[(iii)] (1) an amount the [incarcerated] individual is legally obligated [or desires] to pay for the support of a dependent;

[(iv)] if applicable, a reasonable amount to repay the State or the county for an attorney appointed by the court; and]

[(v)] (2) court-ordered payments for restitution[.

(3) The Sheriff shall:

(i) credit to the incarcerated individual's account any remaining balance; and

(ii) dispose of the balance in the incarcerated individual's account as the incarcerated individual requests and the Sheriff approves]; **OR**

(3) COURT-ORDERED FEES OR FINES.

(e) (1) If an [incarcerated] individual violates a trust or a condition that a court or Sheriff has established for participating in any program established under this section, the Sheriff or the Sheriff's designee shall notify the court in writing of the violation.

(2) An [incarcerated] individual who violates a trust or a condition that a court or Sheriff has established for participating in any program established under this section is subject to:

- 1 (i) removal from the program; and
- 2 (ii) cancellation of any earned diminution of the [incarcerated]
- 3 individual's term of confinement.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

5 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.