

(C) A PERSON WHO IS SERVING MULTIPLE SENTENCES, ONE OF WHICH IS SET ASIDE AS THE RESULT OF DIRECT OR COLLATERAL ATTACK, SHALL RECEIVE CREDIT AGAINST THE REMAINING TERM OF A DEFINITE OR LIFE SENTENCE OR CREDIT AGAINST THE REMAINING MINIMUM AND MAXIMUM TERMS OF AN INDETERMINATE SENTENCE FOR ALL TIME SPENT IN CUSTODY UNDER THE SENTENCE SET ASIDE, INCLUDING CREDIT APPLIED AGAINST THE SENTENCE SET ASIDE IN ACCORDANCE WITH SUBSECTION (A), AND THE REMAINING TERM OF A DEFINITE OR LIFE SENTENCE OR THE REMAINING MINIMUM AND MAXIMUM TERMS OF AN INDETERMINATE SENTENCE SHALL BE DIMINISHED THEREBY.

[(D) THE CREDIT REQUIRED BY SUBSECTIONS (A), (B) AND (C) OF THIS SECTION SHALL BE AWARDED AS FOLLOWS:

(1) AT THE TIME OF SENTENCING, THE TRIAL JUDGE AFTER HAVING COMMUNICATED WITH THE PARTIES SHALL INFORM THE DEFENDANT AND SHALL STATE ON THE RECORD THE AMOUNT OF TIME THAT IS TO BE CREDITED AND THE FACTS UPON WHICH THE PROVISION FOR CREDIT ARE BASED; AND

(2) THE CLERK OF THE COURT SHALL TRANSMIT TO THE DIVISION OF CORRECTION OR OTHER PLACE OF CONFINEMENT, IF THE SENTENCE IS FOR A TERM OF CONFINEMENT, TOGETHER WITH THE COMMITMENT PAPERS, A STATEMENT OF THE CREDIT TO WHICH THE DEFENDANT IS ENTITLED; AND

(3) THE OFFICIALS OF THE DIVISION OF CORRECTION, OR OF ANY OTHER PLACE OF CONFINEMENT, UPON RECEIPT OF THE COMMITMENT PAPERS AND THE STATEMENT OF CREDIT DESCRIBED HEREIN, SHALL IMMEDIATELY COMPUTE THE PERSON'S SENTENCE, AUTOMATICALLY AWARDED THE CREDIT PROVIDED FOR IN THE STATEMENT OF CREDIT, AND IN WRITING, SHALL INFORM THE PERSON AND THE BOARD OF PAROLE OF THE PERSON'S SENTENCE STATUS.]]

(D) THE CREDIT REQUIRED BY SUBSECTIONS (A), (B) AND (C) OF THIS SECTION SHALL BE AWARDED BY THE TRIAL JUDGE AT THE TIME OF SENTENCING. AFTER HAVING COMMUNICATED WITH THE PARTIES, THE JUDGE SHALL INFORM THE DEFENDANT AND SHALL STATE ON THE RECORD THE AMOUNT OF TIME THAT IS TO BE CREDITED AND THE FACTS UPON WHICH THE PROVISION FOR CREDIT IS BASED.

SECTION 2. AND BE IT FURTHER ENACTED, That Section 122 of Article 41 - Governor - Executive and Administrative Departments, of the Annotated Code of Maryland (1971 Replacement Volume and 1973 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 41 - Governor - Executive and Administrative
Departments