

HB0302/582712/2

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 302

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “approval;” in line 4 and substitute “requiring certain parole decisions to be transmitted to the Governor under certain circumstances; authorizing the Governor to disapprove certain parole decisions in a certain manner; providing that if the Governor does not disapprove a certain parole decision in a certain manner within a certain time period, the decision becomes effective;”.

AMENDMENT NO. 2

On page 2, in lines 1, 2, 20, and 21, in each instance, strike the bracket; in line 1, strike “An” and substitute “SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, AN”; after line 2, insert:

**“(4) (I) IF THE BOARD OF REVIEW DECIDES TO GRANT PAROLE TO AN ELIGIBLE PERSON SENTENCED TO LIFE IMPRISONMENT WHO HAS SERVED 25 YEARS WITHOUT APPLICATION OF DIMINUTION OF CONFINEMENT CREDITS, AND THE SECRETARY APPROVES THE DECISION, THE DECISION SHALL BE TRANSMITTED TO THE GOVERNOR.**

**(II) THE GOVERNOR MAY DISAPPROVE THE DECISION BY WRITTEN TRANSMITTAL TO THE BOARD OF REVIEW.**

**(III) IF THE GOVERNOR DOES NOT DISAPPROVE THE DECISION WITHIN 90 DAYS AFTER RECEIPT, THE DECISION BECOMES EFFECTIVE.”;**

(Over)

in line 20, strike "If" and substitute "SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, IF"; after line 21, insert:

"(5) (I) IF THE COMMISSION DECIDES TO GRANT PAROLE TO AN INMATE SENTENCED TO LIFE IMPRISONMENT WHO HAS SERVED 25 YEARS WITHOUT APPLICATION OF DIMINUTION OF CONFINEMENT CREDITS, THE DECISION SHALL BE TRANSMITTED TO THE GOVERNOR.

(II) THE GOVERNOR MAY DISAPPROVE THE DECISION BY WRITTEN TRANSMITTAL TO THE COMMISSION.

(III) IF THE GOVERNOR DOES NOT DISAPPROVE THE DECISION WITHIN 90 DAYS AFTER RECEIPT, THE DECISION BECOMES EFFECTIVE.

SECTION 2. AND BE IT FURTHER ENACTED, That, if the Governor does not, within 90 days after the effective date of this Act, by written transmittal to the Patuxent Institution Board of Review or the Maryland Parole Commission, as appropriate, disapprove parole for an individual sentenced to life imprisonment who has served 25 years without application of diminution of confinement credits and whose parole decision is pending gubernatorial approval as of the effective date of this Act, the parole decision becomes effective."

and in line 22, strike "2." and substitute "3.".