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By: **Delegate Kelly**  
Introduced and read first time: February 9, 1998  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Crime of Violence - Solicitation to Commit Murder**

3 FOR the purpose of making the common-law offense of solicitation to commit murder  
4 a crime of violence for the purposes of sentencing and parole; and generally  
5 relating to the common-law offense of solicitation to commit murder.

6 BY repealing and reenacting, with amendments,  
7 Article 27 - Crimes and Punishments  
8 Section 643B(a)  
9 Annotated Code of Maryland  
10 (1996 Replacement Volume and 1997 Supplement)

11 BY repealing and reenacting, without amendments,  
12 Article 41 - Governor - Executive and Administrative Departments  
13 Section 4-501(12) and 4-516(a), (b), and (c)  
14 Annotated Code of Maryland  
15 (1997 Replacement Volume and 1997 Supplement)

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

18 **Article 27 - Crimes and Punishments**

19 643B.

20 (a) As used in this section, the term "crime of violence" means abduction;  
21 arson in the first degree; kidnapping; manslaughter, except involuntary  
22 manslaughter; mayhem and maiming, as previously proscribed under §§ 384, 385,  
23 and 386 of this article; murder; THE COMMON-LAW OFFENSE OF SOLICITATION TO  
24 COMMIT MURDER; rape; robbery; robbery with a deadly weapon; carjacking or armed  
25 carjacking; sexual offense in the first degree; sexual offense in the second degree; use  
26 of a handgun in the commission of a felony or other crime of violence; an attempt to  
27 commit any of the aforesaid offenses; assault in the first degree; and assault with  
28 intent to murder, assault with intent to rape, assault with intent to rob, assault with

1 intent to commit a sexual offense in the first degree, and assault with intent to  
2 commit a sexual offense in the second degree, as these crimes were previously  
3 proscribed under former § 12 of this article.

4 The term "correctional institution" includes Patuxent Institution and a local or  
5 regional jail or detention center.

6 **Article 41 - Governor - Executive and Administrative Departments**

7 4-501.

8 In the construction of this subtitle, the following definitions shall conclusively  
9 determine the meaning of the terms used:

10 (12) "Violent crime" means burglary in the first, second, or third degree  
11 and any crime that is listed as a "crime of violence" under Article 27, § 643B of the  
12 Code.

13 4-516.

14 (a) It shall be the duty of the Commission of its own initiative to request the  
15 Division to make such investigation as may enable the Commission to determine the  
16 advisability of granting parole to persons sentenced to a term of 6 months or more  
17 under the laws of this State to the jurisdiction of the Division of Correction, or to any  
18 other place of confinement or detention of violators of the criminal laws of the State  
19 whenever the prisoner shall have served in confinement one-fourth of the term or  
20 consecutive terms.

21 (b) A person who has been sentenced to more than one term of confinement,  
22 including a term during which the person is eligible for parole and a term during  
23 which the person is not eligible for parole, is not eligible for parole consideration  
24 under subsection (a) of this section until the person has served the greater of:

25 (1) One-fourth of the aggregate terms sentenced; or

26 (2) A period of time equal to the term during which the person is not  
27 eligible for parole.

28 (c) Notwithstanding the provisions of subsections (a) and (b) of this section:

29 (1) (i) A person who has been sentenced to the Division of Correction  
30 after being convicted of a violent crime is not eligible for parole until the person has  
31 served one-half of the term or consecutive terms; and

32 (ii) A person who has been sentenced to the Division of Correction  
33 after being convicted of a violent crime and who has been sentenced to more than one  
34 term of confinement, including a term during which the person is eligible for parole  
35 and a term during which the person is not eligible for parole, is not eligible for parole  
36 until the person has served the greater of:

