
By: **Delegates W. Baker, Eckardt, Walkup, Bozman, Guns, McClenahan,
Schisler, D. Hughes, and Rudolph**
Introduced and read first time: February 9, 1998
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Executive Department - Pardons, Commutations, and Remissions of**
3 **Sentences - Notification**

4 FOR the purpose of requiring the Governor to provide certain advance notice to the
5 General Assembly and the public when certain inmates are being considered for
6 pardons, commutations, or remissions of sentences; requiring the Maryland
7 Parole Commission to provide certain advance notice to the public when it
8 recommends to the Governor that an inmate be considered for a pardon or
9 commutation or remission of sentence; describing procedures for providing
10 certain notice; and generally relating to pardons, commutations, and remissions
11 of sentences.

12 BY adding to
13 Article 41 - Governor - Executive and Administrative Departments
14 Section 4-511C
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1997 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article 41 - Governor - Executive and Administrative Departments
19 Section 4-513
20 Annotated Code of Maryland
21 (1997 Replacement Volume and 1997 Supplement)

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

Article 41 - Governor - Executive and Administrative Departments

2 4-511C.

3 (A) THE COMMISSION SHALL NOTIFY MEMBERS OF THE PUBLIC WHEN IT
4 RECOMMENDS TO THE GOVERNOR, UNDER § 4-504(B)(3) OF THIS ARTICLE, THAT AN
5 INMATE BE PARDONED OR AN INMATE'S SENTENCE IS COMMUTED OR REMITTED.

6 (B) THE COMMISSION'S NOTICE SHALL BE PUBLISHED:

7 (1) AT LEAST ONCE;

8 (2) NOT MORE THAN 30 DAYS FOLLOWING THE DATE OF THE
9 RECOMMENDATION; AND

10 (3) IN AT LEAST ONE NEWSPAPER OF GENERAL CIRCULATION IN THE
11 COUNTY WHERE THE CRIME OCCURRED AND THE VICTIM, OR THE VICTIM'S
12 DESIGNATED REPRESENTATIVE, RESIDES.

13 4-513.

14 (A) The Governor upon giving the notice required by the Constitution may
15 commute or change any sentence of death into penal confinement for such period as
16 he shall think expedient. And, on giving such a notice, he may pardon any person,
17 convicted of crime, on such conditions as he may prescribe, or he may upon like notice
18 remit any part of the time for which any person may be sentenced to imprisonment on
19 such like conditions without such remission operating as a full pardon to any such
20 person.

21 (B) NINETY DAYS BEFORE GRANTING A PARDON, COMMUTATION, OR
22 REMISSION, THE GOVERNOR SHALL:

23 (1) PROVIDE NOTICE OF THE DECISION TO THE GENERAL ASSEMBLY;
24 AND

25 (2) NOTIFY THE PUBLIC OF THE DECISION BY PUBLISHING IN AT LEAST
26 ONE NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY WHERE THE CRIME
27 OCCURRED AND THE VICTIM, OR THE VICTIM'S DESIGNATED REPRESENTATIVE,
28 RESIDES.

29 (C) THE NOTICE DESCRIBED IN SUBSECTION (B) OF THIS SECTION SHALL
30 INCLUDE:

31 (1) NOTICE OF THE APPLICATION MADE FOR THE PARDON;

32 (2) THE INMATE'S IDENTITY;

33 (3) THE CRIME FOR WHICH THE INDIVIDUAL WAS CONVICTED; AND

34 (4) THE DATE ON WHICH THE PARDON, COMMUTATION, OR REMISSION
35 MAY BECOME EFFECTIVE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1998.