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By: **Delegates J. Kelly, Boutin, Brinkley, Brown, Burns, Cryor, DeCarlo,  
Donoghue, Eckardt, La Vay, Ports, Shank, and Kirk**

Introduced and read first time: February 12, 1999

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 1998 Supplement)

11 BY repealing and reenacting, without amendments,  
12 Article - Correctional Services  
13 Section 7-101(a) and (m) and 7-301  
14 Annotated Code of Maryland  
15 (As enacted by Chapter \_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
16 1999)

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

19 **Article 27 - Crimes and Punishments**

20 643B.

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

1 commit any of the aforesaid offenses; assault in the first degree; and assault with  
2 intent to murder, assault with intent to rape, assault with intent to rob, assault with  
3 intent to commit a sexual offense in the first degree, and assault with intent to  
4 commit a sexual offense in the second degree, as these crimes were previously  
5 proscribed under former § 12 of this article.

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

8 **Article - Correctional Services**

9 7-101.

10 (a) In this title the following words have the meanings indicated.

11 (m) "Violent crime" means:

12 (1) a crime of violence as defined in Article 27, § 643B of the Code; or

13 (2) burglary in the first, second, or third degree.

14 7-301.

15 (a) Except as otherwise provided in this section, the Commission shall request  
16 that the Division of Parole and Probation make an investigation that will enable the  
17 Commission to determine the advisability of granting parole to an inmate who:

18 (1) has been sentenced under the laws of the State to serve a term of 6  
19 months or more in a correctional facility; and

20 (2) has served in confinement one-fourth of the inmate's aggregate  
21 sentence.

22 (b) Except as provided in subsection (c) of this section, if an inmate has been  
23 sentenced to a term of imprisonment during which the inmate is eligible for parole  
24 and a term of imprisonment during which the inmate is not eligible for parole, the  
25 inmate is not eligible for parole consideration under subsection (a) of this section until  
26 the inmate has served the greater of:

27 (1) one-fourth of the inmate's aggregate sentence; or

28 (2) a period equal to the term during which the inmate is not eligible for  
29 parole.

30 (c) (1) (i) Except as provided in subparagraph (ii) of this paragraph, an  
31 inmate who has been sentenced to the Division of Correction after being convicted of  
32 a violent crime committed on or after October 1, 1994, is not eligible for parole until  
33 the inmate has served the greater of:



1                   (4)       If eligible for parole under this subsection, an inmate serving a term  
2 of life imprisonment may only be paroled with the approval of the Governor.

3       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
4 effect October 1, 1999.