

SENATE BILL 704

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SB 394/98 - JPR

1999 Regular Session
9r2416

By: **Senator McFadden**

Introduced and read first time: February 19, 1999

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Inmates - In Banc Review of Sentences**

3 FOR the purpose of allowing certain individuals under certain circumstances to seek
4 in banc review of a judgment or determination on any point or question relating
5 to a conviction or sentence by filing a certain notice after a certain time;
6 requiring the Court of Appeals to adopt rules to implement this Act; and
7 generally relating to inmates and review of convictions and sentences.

8 BY adding to

9 Article 27 - Crimes and Punishments

10 Section 645JH to be under the new subheading "In Banc Review of Sentences"

11 Annotated Code of Maryland

12 (1996 Replacement Volume and 1998 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article 27 - Crimes and Punishments**

16 **IN BANC REVIEW OF SENTENCES**

17 645JH.

18 (A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHEN REVIEW BY A
19 COURT IN BANC IS AUTHORIZED BY THE MARYLAND CONSTITUTION, AN INDIVIDUAL
20 MAY HAVE A JUDGMENT OR DETERMINATION OF ANY POINT OR QUESTION
21 RELATING TO A CONVICTION OR SENTENCE REVIEWED BY A THREE-JUDGE PANEL
22 SITTING IN BANC BY FILING A NOTICE FOR IN BANC REVIEW ANY TIME AFTER THE
23 INDIVIDUAL HAS SERVED AT LEAST 20 CONTINUOUS YEARS OF IMPRISONMENT
24 WITHOUT BEING RELEASED ON PAROLE AS A RESULT OF THE CONVICTION AND
25 SENTENCE.

26 (B) THE COURT OF APPEALS SHALL ADOPT RULES TO IMPLEMENT THIS
27 SECTION.

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