

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 123 (Chairman, Judiciary Committee)
(Departmental - Public Safety and Correctional Services)

Judiciary

Maryland Parole Commission - Hearing Examiners - Review of Recommendations

This departmental bill alters procedures whereby the Maryland Parole Commission reviews recommendations of hearing examiners relating to granting or denying parole for an inmate subsequent to an appeal of the decision by the Commissioner of Correction or an inmate.

Fiscal Summary

State Effect: None. Any potential savings in time or workload for the Maryland Parole Commission would not appreciably affect State finances.

Local Effect: None.

Small Business Effect: The Department of Public Safety and Correctional Services has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Fiscal Analysis

Bill Summary: The bill provides that: (1) if an assigned member of the commission approves the hearing examiner's recommendation, the decision is final; and (2) if the assigned member disagrees with the recommendation, a second commission member is assigned to make a final decision on the matter. Under current law a hearing examiner's decision may only be reviewed by the full commission or a panel of at least 2 commissioners.

In addition, the bill requires that decisions of a hearing examiner or a second review

commissioner must be delivered “as soon as practicable.” Under current law there are specified time frames wherein such decisions must be delivered to the commission and an inmate.

Currently, hearing examiners do not conduct parole hearings if: (1) the Commissioner of Correction objects to an inmate’s parole; (2) the inmate was convicted of a homicide; or (3) the inmate is serving life imprisonment. Annually, the Parole Commission makes approximately 31,000 parole determinations and reviews 1,100 appeals.

Information Source(s): Department of Public Safety and Correctional Services (Maryland Parole Commission), Department of Legislative Services

Fiscal Note History: First Reader - February 8, 1999

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