

HOUSE BILL 541

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HB 400/00 - JUD

2001 Regular Session  
11r0723

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By: **Delegates Marriott, Burns, Cane, C. Davis, D. Davis, Dobson, Gladden,  
Harrison, Howard, A. Jones, V. Jones, Kirk, Montague, Nathan-Pulliam,  
Oaks, Paige, Phillips, Proctor, and Rawlings**

Introduced and read first time: February 5, 2001

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Parole - Extension of Jurisdiction of Maryland Parole Commission**

3 FOR the purpose of providing that certain persons serving sentences of life  
4 imprisonment with the possibility of parole may be paroled under the  
5 jurisdiction of the Maryland Parole Commission; making certain technical  
6 corrections; and generally relating to parole and persons who are sentenced to  
7 life imprisonment.

8 BY repealing and reenacting, with amendments,

9 Article - Correctional Services

10 Section 4-305(b) and 7-301(d)

11 Annotated Code of Maryland

12 (1999 Volume and 2000 Supplement)

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

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

15 **Article - Correctional Services**

16 4-305.

17 (b) (1) Except as provided in paragraph (2) of this subsection, an inmate  
18 sentenced to life imprisonment is not eligible for parole consideration until the inmate  
19 has served 15 years or the equivalent of 15 years when considering allowances for  
20 diminution of the inmate's period of confinement as provided under Title 3, Subtitle 7  
21 of this article and [Article 27, § 638C of the Code] § 6-218 OF THE CRIMINAL  
22 PROCEDURE ARTICLE.

23 (2) An inmate sentenced to life imprisonment as a result of a proceeding  
24 under Article 27, § 413 is not eligible for parole consideration until the inmate has  
25 served 25 years or the equivalent of 25 years when considering allowances for  
26 diminution of the inmate's period of confinement as provided under Title 3, Subtitle 7

1 of this article and [Article 27, § 638C of the Code] § 6-218 OF THE CRIMINAL  
2 PROCEDURE ARTICLE.

3           [(3)     An eligible person who is serving a term of life imprisonment may be  
4 paroled only with the Governor's approval.]

5 7-301.

6       (d)     (1)     Except as provided in paragraphs (2) and (3) of this subsection, an  
7 inmate who has been sentenced to life imprisonment is not eligible for parole  
8 consideration until the inmate has served 15 years or the equivalent of 15 years  
9 considering the allowances for diminution of the inmate's term of confinement under  
10 [Article 27, § 638C of the Code] § 6-218 OF THE CRIMINAL PROCEDURE ARTICLE and  
11 Title 3, Subtitle 7 of this article.

12           (2)     An inmate who has been sentenced to life imprisonment as a result of  
13 a proceeding under Article 27, § 413 is not eligible for parole consideration until the  
14 inmate has served 25 years or the equivalent of 25 years considering the allowances  
15 for diminution of the inmate's term of confinement under [Article 27, § 638C of the  
16 Code] § 6-218 OF THE CRIMINAL PROCEDURE ARTICLE and Title 3, Subtitle 7 of this  
17 article.

18           (3)     (i)     If an inmate has been sentenced to imprisonment for life  
19 without the possibility of parole under Article 27, § 412 or § 413 of the Code, the  
20 inmate is not eligible for parole consideration and may not be granted parole at any  
21 time during the inmate's sentence.

22                   (ii)     This paragraph does not restrict the authority of the Governor  
23 to pardon or remit any part of a sentence under § 7-601 of this title.

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

26       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2001.