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By: **Delegates C. Davis and Franchot**  
Introduced and read first time: February 7, 2001  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Parole - Life Imprisonment - Approval of Governor**

3 FOR the purpose of exempting certain inmates who are serving a term of life  
4 imprisonment from the requirement for approval by the Governor before parole  
5 may be granted; and generally relating to eligibility for parole.

6 BY repealing and reenacting, with amendments,  
7 Article - Correctional Services  
8 Section 7-301(d)  
9 Annotated Code of Maryland  
10 (1999 Volume and 2000 Supplement)

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

13 **Article - Correctional Services**

14 7-301.

15 (d) (1) Except as provided in paragraphs (2) and (3) of this subsection, an  
16 inmate who has been sentenced to life imprisonment is not eligible for parole  
17 consideration until the inmate has served 15 years or the equivalent of 15 years  
18 considering the allowances for diminution of the inmate's term of confinement under  
19 Article 27, § 638C of the Code and Title 3, Subtitle 7 of this article.

20 (2) An inmate who has been sentenced to life imprisonment as a result of  
21 a proceeding under Article 27, § 413 is not eligible for parole consideration until the  
22 inmate has served 25 years or the equivalent of 25 years considering the allowances  
23 for diminution of the inmate's term of confinement under Article 27, § 638C of the  
24 Code and Title 3, Subtitle 7 of this article.

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

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

3                   (4)       If eligible for parole under this subsection, an inmate serving a term  
4 of life imprisonment may only be paroled:

5                   (I)       with the approval of the Governor; OR

6                   (II)       IF THE INMATE IS AT LEAST 50 YEARS OF AGE AND HAS SERVED  
7 AT LEAST 25 YEARS OR THE EQUIVALENT OF 25 YEARS CONSIDERING THE  
8 ALLOWANCES FOR DIMINUTION OF THE INMATE'S TERM OF CONFINEMENT UNDER  
9 ARTICLE 27, § 638C OF THE CODE AND TITLE 3, SUBTITLE 7 OF THIS ARTICLE.

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