

HOUSE BILL 611

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HB 541/01 - JUD

2002 Regular Session  
2lr1634

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

Introduced and read first time: February 4, 2002  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Parole - Extension of Jurisdiction of Maryland Parole Commission and**  
3 **Patuxent Institution Board of Review**

4 FOR the purpose of providing that certain persons serving sentences of life  
5 imprisonment with the possibility of parole may be paroled solely by the  
6 authority of the Maryland Parole Commission or the Patuxent Institution Board  
7 of Review under certain circumstances; making stylistic changes; and generally  
8 relating to parole and persons who are sentenced to life imprisonment.

9 BY repealing and reenacting, with amendments,  
10 Article - Correctional Services  
11 Section 4-305(b) and 7-301(d)  
12 Annotated Code of Maryland  
13 (1999 Volume and 2001 Supplement)

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

16 **Article - Correctional Services**

17 4-305.

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

23 (2) An inmate sentenced to life imprisonment as a result of a proceeding  
24 under [Article 27, § 413] TITLE 2, SUBTITLE 3 OF THE CRIMINAL LAW ARTICLE is not  
25 eligible for parole consideration until the inmate has served 25 years or the  
26 equivalent of 25 years when considering allowances for diminution of the inmate's

1 period of confinement as provided under Title 3, Subtitle 7 of this article and § 6-218  
2 of the Criminal 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 § 6-218 of the Criminal Procedure Article and Title 3, Subtitle 7 of this article.

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

17           (3)     (i)     If an inmate has been sentenced to imprisonment for life  
18 without the possibility of parole under [Article 27, § 412 or § 413 of the Code] TITLE  
19 2, SUBTITLE 2 OR SUBTITLE 3 OF THE CRIMINAL LAW ARTICLE, the inmate is not  
20 eligible for parole consideration and may not be granted parole at any time during the  
21 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, 2002.