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By: Senator Miller

Introduced and read first time: January 31, 2003

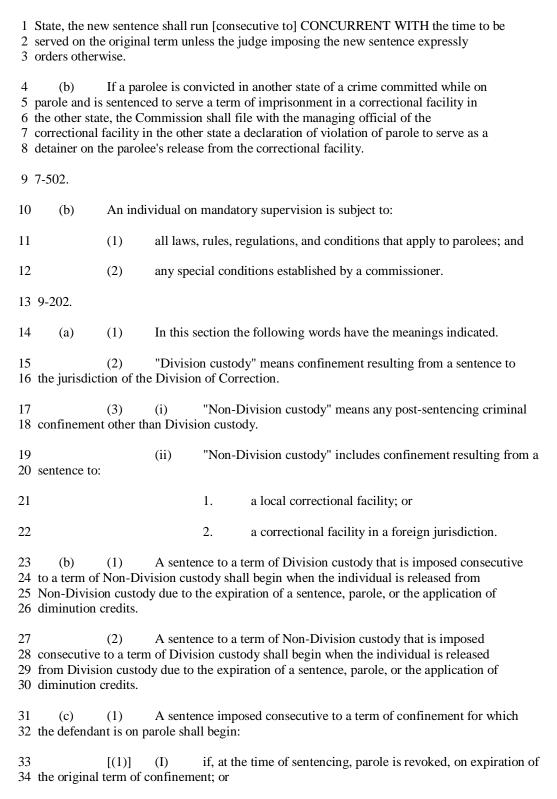
Assigned to: Judicial Proceedings

## A BILL ENTITLED

1 AN ACT cor	ncerning
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2	<b>Correctional Services -</b>	<b>Concurrent Sentences</b>

- 3 FOR the purpose of requiring a new sentence to run concurrent with the time served
- 4 on the original term when an individual is convicted of a crime committed while
- 5 on parole; repealing the requirement that a new sentence run consecutive to the
- 6 time served on the original term when an individual is convicted of a crime
- 7 committed while on parole; requiring a sentence for a revocation of parole to
- 8 begin on the expiration of a certain consecutive term of confinement if parole is
- 9 not revoked when a court imposes a certain sentence; prohibiting a certain
- defendant from receiving certain credit for time served under certain
- circumstances; providing for the application of this Act; and generally relating to
- criminal sentences and the revocation of parole under certain circumstances.
- 13 BY repealing and reenacting, without amendments,
- 14 Article Correctional Services
- 15 Section 7-502(b)
- 16 Annotated Code of Maryland
- 17 (1999 Volume and 2002 Supplement)
- 18 BY repealing and reenacting, with amendments,
- 19 Article Correctional Services
- 20 Section 7-403 and 9-202
- 21 Annotated Code of Maryland
- 22 (1999 Volume and 2002 Supplement)
- 23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 24 MARYLAND, That the Laws of Maryland read as follows:
- 25 Article Correctional Services
- 26 7-403.
- 27 (a) If a parolee is convicted of a crime committed while on parole and is
- 28 sentenced to an additional term of imprisonment in any correctional facility in this



## **SENATE BILL 364**

- 1 [(2)] (II) if parole is not revoked, on the date that the consecutive
  2 sentence was imposed.

  3 (2) IF PAROLE IS NOT REVOKED WHEN A COURT IMPOSES A SENTENCE
  4 IMPOSED CONSECUTIVE TO A TERM OF CONFINEMENT FOR WHICH THE DEFENDANT
  5 IS ON PAROLE BUT PAROLE IS SUBSEQUENTLY REVOKED:

  6 (I) THE SENTENCE FOR THE REVOCATION SHALL BEGIN ON
  7 EXPIRATION OF THE CONSECUTIVE TERM OF CONFINEMENT IMPOSED BY THE
  8 COURT; AND
- 9 (II) THE DEFENDANT MAY NOT RECEIVE ANY CREDIT FOR TIME 10 SERVED ON THE CONSECUTIVE SENTENCE TOWARDS THE SENTENCE FOR THE 11 REVOCATION.
- 12 (d) An inmate under a sentence to a term of Division custody that is 13 concurrent or partially concurrent to a term of Non-Division custody shall be subject 14 to Division custody immediately on release from Non-Division custody due to the 15 expiration of a sentence, parole, or the application of diminution credits.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to a crime committed while on parole or mandatory supervision before the effective date of this Act.
- 20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect 21 October 1, 2003.