SB0172/192519/1

BY: House Judiciary Committee

<u>AMENDMENTS TO SENATE BILL 172</u>
(Third Reading File Bill)

<u>AMENDMENT NO. 1</u>

On page 1, in line 2, after "Parole" insert "<u>and Commutation of Sentence</u>"; in lines 5 and 6, in each instance, after "<u>parole</u>" insert "<u>and commutation of sentence</u>"; in line 8, after "<u>parole</u>" insert "<u>or commutation of sentence</u>"; in line 9, strike "<u>decision</u>" and substitute "<u>parole or commutation of sentence</u>"; in the same line, after "<u>effective;</u>" insert "<u>making a certain conforming change; altering certain definitions;</u>"; and in line 13, strike "and 7-301(d)" and substitute "<u>, 7-101(d) and (e), 7-301(d), and 7-601(b)</u>".

<u>AMENDMENT NO. 2</u>

On page 2, in line 16, after the first "**TO**" insert "**OR RECOMMEND COMMUTATION OF SENTENCE OF**"; in line 23, strike "**180**" and substitute "**90**"; in the same line, strike the second "**DECISION**" and substitute "**PAROLE OR COMMUTATION OF SENTENCE**"; and after line 24, insert:

"<u>7–101.</u>

<u>(d)</u>   "<u>Commutation of sentence</u>" <u>means an act of clemency in which</u> **[**the Governor, by order, substitutes**]** <u>a lesser penalty for the grantee's offense</u> **IS SUBSTITUTED** <u>for the penalty imposed by the court in which the grantee was convicted.</u>

<u>(e)</u>   "<u>Conditional commutation of sentence</u>" <u>means a commutation of sentence that is dependent on compliance with conditions precedent or subsequent</u> **[**that the Governor specifies in the**]** **IN A** <u>written order granting the commutation.</u>".

On page 3, in line 8, after the second "**TO**" insert "**OR RECOMMEND COMMUTATION OF SENTENCE OF**"; in line 15, strike "**180**" and substitute "**90**"; in

(Over)

the same line, strike the second "<u>**DECISION**</u>" and substitute "<u>**PAROLE OR COMMUTATION OF SENTENCE**</u>"; after line 16, insert:

"<u>7-601.</u>

 <u>(b)</u> <u>(1)</u> **[A]** <u>**EXCEPT AS PROVIDED IN § 4-305 OF THIS ARTICLE AND § 7-301 OF THIS TITLE, A**</u> <u>pardon or commutation of sentence shall be evidenced by a written executive order signed by the Governor under the great seal.</u>

  <u>(2)</u> <u>An order granting a pardon or conditional pardon shall clearly indicate on its face whether it is a partial or full pardon.</u>";

in line 18, strike "<u>180</u>" and substitute "<u>90</u>"; in line 20, after "<u>for</u>" insert "<u>or commutation of sentence of</u>"; in line 22, after "<u>parole</u>" insert "<u>or commutation of sentence</u>"; and in line 23, strike "<u>decision</u>" and substitute "<u>or commutation of sentence</u>".