

SB0202/328975/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 202
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “effective;” insert “requiring certain decisions to be determined by a certain vote of the Maryland Parole Commission;”; in line 15, strike “and” and substitute a comma; and in the same line, after “7–301(d)” insert “, and 7–307”.

AMENDMENT NO. 2

On page 2, strike beginning with “OR” in line 9 down through “ARTICLE” in line 12.

On page 3, strike beginning with “OR” in line 3 down through “ARTICLE” in line 6; and after line 27, insert:

“7–307.

(a) (1) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SUBSECTION, THE chairperson of the Commission shall assign at least two commissioners to hear cases for parole release as a panel.

(2) Each proceeding before a Commission panel shall be conducted in accordance with this section.

(b) (1) (i) A Commission panel that consists of two commissioners shall determine, by unanimous vote, whether the inmate is suitable for parole in accordance with the factors and other information specified in § 7–305 of this subtitle.

(Over)

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(ii) If the two-commissioner panel is unable to reach a unanimous decision, the chairperson of the Commission shall convene a three-commissioner panel as soon as practicable to rehear the case.

(2) A Commission panel that consists of three commissioners shall determine, by majority vote, whether the inmate is suitable for parole in accordance with the factors and other information specified in § 7-305 of this subtitle.

(C) (1) FOR AN INMATE WHO HAS BEEN SENTENCED TO LIFE IMPRISONMENT AFTER BEING CONVICTED OF A CRIME COMMITTED ON OR AFTER OCTOBER 1, 2021, THE PANEL SHALL CONSIST OF AT LEAST SIX COMMISSIONERS.

(2) A COMMISSION PANEL UNDER THIS SUBSECTION SHALL DETERMINE, BY A VOTE OF SIX OF THE MEMBERS OF THE PANEL, WHETHER THE INMATE IS SUITABLE FOR PAROLE IN ACCORDANCE WITH THE FACTORS AND OTHER INFORMATION SPECIFIED IN § 7-305 OF THIS SUBTITLE.

[(c)] (D) (1) The Commission panel shall inform the inmate and the appropriate correctional authority of the Commission's decision as soon as possible.

(2) If parole is denied, the Commission shall give the inmate a written report of its findings within 30 days after the hearing."