

HOUSE BILL 678

E2
HB 1325/20 – JUD

1lr2527

By: **Delegate Buckel**

Introduced and read first time: January 26, 2021

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes of Violence – Parole**
3 **(Stopping Dangerous and Violent Criminals Act of 2021)**

4 FOR the purpose of altering the portion of a sentence that must be served before a certain
5 inmate convicted of a certain violent crime committed on or after a certain date can
6 be paroled; and generally relating to parole.

7 BY repealing and reenacting, with amendments,
8 Article – Correctional Services
9 Section 7–301(c)
10 Annotated Code of Maryland
11 (2017 Replacement Volume and 2020 Supplement)

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

14 **Article – Correctional Services**

15 7–301.

16 (c) (1) (i) Except as provided in subparagraph (ii) of this paragraph[,]:

17 **1.** an inmate who has been sentenced to the Division of
18 Correction after being convicted of a violent crime committed on or after October 1, 1994,
19 **AND BEFORE OCTOBER 1, 2021**, is not eligible for parole until the inmate has served the
20 greater of:

21 **[1.] A.** one-half of the inmate’s aggregate sentence for
22 violent crimes; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [2.] B. one-fourth of the inmate's total aggregate sentence;
2 AND

3 2. AN INMATE WHO HAS BEEN SENTENCED TO THE
4 DIVISION OF CORRECTION AFTER BEING CONVICTED OF A VIOLENT CRIME
5 COMMITTED ON OR AFTER OCTOBER 1, 2021, IS NOT ELIGIBLE FOR PAROLE UNTIL
6 THE INMATE HAS SERVED THE GREATER OF:

7 A. 90% OF THE INMATE'S AGGREGATE SENTENCE FOR
8 VIOLENT CRIMES; OR

9 B. ONE-FOURTH OF THE INMATE'S TOTAL AGGREGATE
10 SENTENCE.

11 (ii) 1. An inmate who has been sentenced to the Division of
12 Correction after being convicted of a violent crime committed on or after October 1, 1994,
13 AND BEFORE OCTOBER 1, 2021, and who has been sentenced to more than one term of
14 imprisonment, including a term during which the inmate is eligible for parole and a term
15 during which the inmate is not eligible for parole, is not eligible for parole until the inmate
16 has served the greater of:

17 [1.] A. one-half of the inmate's aggregate sentence for
18 violent crimes;

19 [2.] B. one-fourth of the inmate's total aggregate sentence;
20 or

21 [3.] C. a period equal to the term during which the inmate
22 is not eligible for parole.

23 2. AN INMATE WHO HAS BEEN SENTENCED TO THE
24 DIVISION OF CORRECTION AFTER BEING CONVICTED OF A VIOLENT CRIME
25 COMMITTED ON OR AFTER OCTOBER 1, 2021, AND WHO HAS BEEN SENTENCED TO
26 MORE THAN ONE TERM OF IMPRISONMENT, INCLUDING A TERM DURING WHICH THE
27 INMATE IS ELIGIBLE FOR PAROLE AND A TERM DURING WHICH THE INMATE IS NOT
28 ELIGIBLE FOR PAROLE, IS NOT ELIGIBLE FOR PAROLE UNTIL THE INMATE HAS
29 SERVED THE GREATER OF:

30 A. 90% OF THE INMATE'S AGGREGATE SENTENCE FOR
31 VIOLENT CRIMES;

32 B. ONE-FOURTH OF THE INMATE'S TOTAL AGGREGATE
33 SENTENCE; OR

1 **C. A PERIOD EQUAL TO THE TERM DURING WHICH THE**
2 **INMATE IS NOT ELIGIBLE FOR PAROLE.**

3 (2) An inmate who is serving a term of imprisonment for a violent crime
4 committed on or after October 1, 1994, shall receive an administrative review of the
5 inmate's progress in the correctional facility after the inmate has served the greater of:

6 (i) one-fourth of the inmate's aggregate sentence; or

7 (ii) if the inmate is serving a term of imprisonment that includes a
8 mandatory term during which the inmate is not eligible for parole, a period equal to the
9 term during which the inmate is not eligible for parole.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2021.